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JOURNAL

OF THE

PUBLIC AND SECRET PROCEEDINGS

OF THE

CONVENTION OF THE PEOPLE

OF

GEORGIA,

HELD IN MILLEDGEVILLE AND SAVANNAH IN 1861.

TOGETHER WITH THE ORDINANCES ADOPTED.

PUBLISHED BY ORDER OF THE CONVENTION.

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1861.

JOURNAL OF THE CONVENTION.

HELD AT MILLEDGEVILLE IN OPEN SESSION.

MILLEDGEVILLE, GEORGIA,
WEDNESDAY, JANUARY 16, 1861.

In accordance with a proclamation issued by his Excellency, JOSEPH E. BROWN, Governor of Georgia, bearing date 21st November, 1860, delegates from the several counties of this State, duly elected by the people thereof, assembled this day in the Capitol, and at the hour of half past ten o'clock A. M., on motion of Mr. Styles, of Ware, the Hon. Henry L. Benning, a delegate from the county of Muscogee, was called to the chair, and Arthur Hood, Esq., a delegate from the county of Randolph, was appointed Secretary, for the purpose of organization.

The Governor's proclamation convening this body was then read, and, on motion, the Secretary proceeded to call the counties, when the following delegates, from the counties prefixed to their names, upon the presentation of certificates of election, were duly enrolled as members of the Convention:

Appling—Seaborn Hall, J. H. Latimer.
Banks—W. R. Bell, S. W. Pruett.
Baker—A. H. Colquitt, C. D. Hammond.
Baldwin—A. H. Kenan, L. H. Briscoe.
Berrien—W. J. Mabry, J. C. Lamb.
Bibb—Washington Poe, John B. Lamar, E. A. Nisbet.
Brooks—C. S. Gaulden, Henry Briggs.
Bryan—C. C. Slater, J. P. Hines.

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Bulloch—S. L. Moore, Samuel Harville.
Burke—E. A. Allen, E. B. Gresham, W. B. Jones.
Butts—D. J. Bailey, Henry Hendricks.
Camden—N. J. Patterson, F. M. Adams.
Campbell—J. M. Cantrell, T. C. Glover,
Calhoun—W. G. Sheffield, E. Padgett.
Carroll—B. W. Wright, B. W. Hargrave, Allen Rowe.
Cass—W. T. Wofford, H. F. Price, T. H. Trippe.
Catoosa—Presley Yates, J. T. McConnell.
Charlton—F. M. Smith, H. M. Mershon.
Chatham—F. S. Bartow, A. S. Jones, John W. Anderson.
Chattooga—Wesley Shropshire, L. Williams.
Cherokee—W. A. Teasley, E. E. Fields, John McConnell.
Clark—T. R. R. Cobb, Asbury Hull, Jefferson Jennings.
Clayton—R. E. Morrow, James F. Johnston.
Clay—W. H. C. Davenport, B. F. Burnett.
Clinch—Benjamin Sermons, F. G. Ramsey.
Cobb—G. D. Rice, A. A. Winn, E. H. Lindley.
Coffee—Rowan Pafford, J. H. Frier.
Columbia—W. A. S. Collins, H. R. Casey, R. S. Neal.
Colquitt—H. C. Tucker, John G. Coleman.
Coweta—A. B. Calhoun, J. J. Pinson, W. B. Shell.
Crawford—W. C. Cleveland, Isaac Dennis.
Dade—S. C. Hale, R. M. Pariss.
Dawson—Alfred Webb, R. H. Pierce.
Decatur—Richard Simms, C. J. Munnerlyn, B. H. Gee.
De Kalb—Charles Murphy, G. K. Smith.
Dooly—John S. Thomas, Elijah Butts.
Dougherty—Richard H. Clark, C. E. Mallary.
Early—R. W. Sheffield, James Buchanan.
Echols—Harris Tomlinson, J. B. Prescott.
Effingham—E. W. Solomons, A. G. Porter.
Elbert—J. C. Burch, L. H. O. Martin.
Emanuel—A. L. Kirkland, John Overstreet.
Fannin—W. C. Fain, E. W. Chastain.
Fayette—M. M. Tidwell, J. L. Blalock.
Floyd—James Ward, Simpson Fouche, F. C. Shropshire.
Forsyth—Hardy Strickland, H. P. Bell.
Franklin—John H. Patrick, Samuel Knox.
Fulton—J. F. Alexander, L. J. Glenn, J. P. Logan.

Glasscock—Joshua F. Usry, Calvin Logue.
Gilmer—Joseph Pickett, W. P. Milton.
Gordon—W. H. Dabney, James Freeman, R. M. Young.
Greene—N. M. Crawford, R. J. Willis, T. N. Poullain.
Gwinnett—R. D. Winn, J. P. Simmons, T. P. Hudson.
Habersham—R. C. Ketchum, Singleton Sisk.
Hall—E. M. Johnson, P. M. Byrd, Davis Whelchel.
Hancock—Linton Stephens, B. T. Harris, T. M. Turner.
Haralson—W. J. Head, A. R. Walton.
Harris—D. P. Hill, W. J. Hudson, H. D. Williams.
Hart—R. S. Hill, J. E. Skelton.
Heard—R. P. Wood, C. W. Mabry.
Henry—F. E. Manson, E. B. Arnold, J. H. Low
Houston—J. M. Giles, D. F. Gunn, B. W. Brown.
Irwin—M. Henderson, Jacob Young.
Jackson—J. J. McCulloch, J. G. Pitman, D. R. Lyle.
Jasper—Aris Newton, Reuben Jordan, Jr.
Jefferson—H. V. Johnson, George Stapleton.
Johnson—William Hust, J. R. Smith.
Jones—James M. Gray, P. T. Pitts.
Laurens—Nathan Tucker, J. W. Yopp.
Lee—W. B. Richardson, Goode Bryan.
Liberty—W. B. Fleming, S. M. Varnadoe.
Lowndes—C. H. M. Howell, Isaiah Tilman.
Lumpkin—Benjamin Hamilton, William Martin.
Madison—J. S. Gholston, A. C. Daniel.
Macon—W. H. Robinson, J. H. Carson.
Marion—W. M. Brown, J. M. Harvey.
McIntosh—J. M. Harris, G. W. M. Williams.
Meriwether—H. R. Harris, W. D. Martin, Hiram Warner.
Miller—W. J. Cheshier, C. L. Whitehead.
Milton—Jackson Graham, J. C. Street.
Mitchell—William T. Cox, Jesse Reed.
Monroe—R. L. Roddey, Hiram Phinizy, jr., J. T. Stephens.
Montgomery—T. M. McRae, S. H. Latimer.
Morgan—Thomas P. Saffold, Augustus Reese.
Murray—Anderson Farnsworth, Euclid Waterhouse.
Muscogee—J. N. Ramsey, Henry L. Benning, A. S. Rutherford.

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Pickens—James Simmons, W. T. Day.

Pierce—E. D. Hendry, J. W. Stephens.

Pike—R. B. Gardner, G. M. McDowell.

Polk—W. E. West, T. W. Dupree.

Pulaski—T. J. McGriff, C. M. Bozeman.

Putnam—R. T. Davis, D. R. Adams.

Quitman—E. C. Ellington, L. P. Dozier.

Rabun—Samuel Beck, H. W. Cannon.

Randolph—Marcellus Douglas, Arthur Hood.

Richmond—George W. Crawford, J. Phinizy, Sr., J. P. Garvin.

Schley—H. L. French, W. A. Black.

Screven—C. Humphries, J. L. Singleton.

Spalding—W. G. Dewberry, Henry Moor.

Stewart—James A. Fort, James Hilliard, G. Y. Banks.

Sumter—W. A. Hawkins, T. M. Furlow, Henry Davenport.

Talbot—W. R. Neal, W. B. Marshall, L. B. Smith.

Taliaferro—Alexander H. Stephens, S. H. Perkins.

Tatnall—Benjamin Brewton, Henry Strickland.

Taylor—W. J. F. Mitchell, H. H. Long.

Telfair—H. McLean, James Williamson.

Terrell—William Harrington, D. A. Cochran.

Thomas—A. H. Hansell, S. B. Spencer, W. G. Ponder.

Towns—John Corn, Elijah Kimsey.

Troup—B. H. Hill, W. P. Beasley, J. M. Beall.

Twiggs—John Fitzpatrick, S. L. Richardson.

Union—J. H. Huggins, J. P. Welborn.

Upson—P. W. Alexander, T. S. Sherman.

Walker—G. G. Gordon, R. B. Dickerson, T. A. Sharpe.

Walton—George Spence, Willis Kilgore, H. D. McDaniel.

Ware—W. A. McDonald, C. W. Styles.

Warren—M. D. Cody, N. A. Wicker.

Wayne—Henry R. Fort, H. A. Cannon.

Washington—E. S. Langmade, Lewis Bullard, A. C. Harris.

Webster—P. F. Brown, M. H. Bush.

White—Isaac Bowen, E. F. Starr.

Whitfield—J. M. Jackson, F. A. Thomas, Dickerson Taliaferro.

Wilcox—D. A. McLeod, Smith Turner.

Wilkes—Robert Toombs, J. J. Robertson.

Wilkinson—N. A. Carswell, R. J. Cochran.

Worth—R. G. Ford, Sr., T. T. Mounger.

The official returns of the election of delegates from the counties of Chattahoochee, Glynn, and Lincoln, not having been received at the Executive Department, certificates of election could not be procured by the delegates from those counties, whereupon,

On motion of Mr. Stephens, of Taliaferro, it was unanimously resolved that the delegates elected from those counties do enrol their names, and participate in the action of the Convention.

Those counties are therefore represented as follows:

From the county of Glynn, John L. Harris, and H. B. Troup.

From the county of Lincoln, La Fayette Lamar, and C. R. Strother.

From the county of Chattahoochee, A. H. Flewellen, and William Davis.

By direction of the Chairman, the roll was called, and it being ascertained that a quorum was present, the Chairman stated it had been suggested to him, that, before proceeding furthur, it would be appropriate, by prayer, to seek the blessings of God upon the deliberations of this Convention; in which suggestion he most heartily concurred.

Whereupon, by request, the Reverend Mr. Williamson, a delegate from the county of Telfair, in an impressive and fervent manner, performed that duty.

Mr. Kenan then moved that the Convention proceed to the election of a President—pending which,

On motion of Hull, George W. Crawford, a delegate from the county of Richmond, was chosen President by acclamation.

On motion, Messrs. Hull, Stephens, of Taliaferro, and Kenan, were appointed a committee to notify the President

of his election, to request his acceptance, and conduct him to the chair.

The President on taking the chair, addressed the Convention, and tendered his acknowledgements for the honor conferred upon him.

The Convention then proceeded to the election of a Secretary, which, on the third ballot, resulted in the election of Albert R. Lamar, of the county of Muscogee.

On motion of Mr. Wright, by acclamation, Jesse Oslin, of the county of Cobb, was appointed Messenger, and William Atkins, of Oglethorpe county, Door Keeper.

On motion of Mr. Fouche, the following committed was appointed by the President to report upon Rules to govern the deliberations of this Convention, to wit:

Messrs. Fouche,
Hill, of Troup,
Clarke.

Mr. Fleming offered the following resolution:

Resolved, That a committee of three be appointed by the President to wait upon the Commissioners of South Carolina and Alabama, now in this city, to ascertain when it will be convenient for them to address this Convention, and also, to invite them to take seats with this body.

The resolution was adopted, and the President appointed Messrs Fleming, Rice, and Trippe that committee.

On motion of Mr. Cobb, the following committee was appointed by the President to make arrangements with the Reverend Clergy of this city and vicinity, so that the services of some one of them may be secured to open with prayer the deliberations of the Convention on each day of its session, to wit:

Messrs. Cobb,
Varnadoe,
Briscoe.

On motion of Mr. Bartow, it was unanimously resolved, that one of the standing rules of this Convention shall be

the suppression of all applause or other noisy demonstration during, or following the remarks of any delegate.

The Convention then adjourned till ten o'clock to-morrow morning.

THURSDAY MORNING, JANUARY, 17, 1861.

The Convention met pursuant to adjournment; after prayer by the Rev. Mr. Evans, the roll was called, and a quorum being present, the journal of yesterday was read, when the President announced that communications from South Carolina and Alabama, were before him, which, on motion of Mr. Stephens, of Taliaferro, were read, and on motion of Mr. Toombs were ordered to be printed for the use of the Convention.

A communication was also received from the Mayor of Atlanta, by the President, in which, by a resolution of the Mayor and Council of that city, this Convention was requested to appoint Atlanta as the place of holding the Convention for the purpose of forming a Southern Confederacy.

On motion of Mr. Anderson, the communication was laid on the table for the present.

Mr. Fleming, from the committee to wait on the Commissioners from South Carolina and Alabama accredited to this Convention, reported that the committee had disharged that duty, and that the Hon. James L. Orr, the Commismissioner from South Carolina, and the Hon. John G. Shorter, the Commissioner from Alabama, had accepted the invitation of, and would address the Convention at any hour it would suggest.

Whereupon, on motion of Mr. Stephens of Taliaferro, the committee was directed to inform said Commissioners, that the Convention would be ready to receive and hear them at the hour of 12 M. of this day.

Mr. Fouche, from the committee on rules for the govern-

ment of the Convention in its deliberations, reported the following, to-wit:

RULES OF THE CONVENTION, FOR 1861.

1st. The President having taking the Chair, a quorum being present, (to ascertain which the President may order the roll to be called which shall otherwise be omitted,) the Journal of the preceding day shall be read; immediately, after which, it shall be in the power of any member to move for a reconsideration of any matter therein contained, (provided such member, at the time of reading such matter, shall notify the Convention of his intention to move such reconsideration,) except such matter as has been heretofore reconsidered.

2d. Every ordinance or resolution having been lost or passed, and again reconsidered, shall, immediately thereafter by the Secretary of the Convention, be placed on file in the standing order, and be taken up accordingly, and take precedence from the time of reconsideration only unless otherwise directed by the Convention.

3d. No member shall speak to another, or otherwise interrupt the business of the Convention, while the journal or public papers is reading, or when any member is speaking in debate.

4th. When any member is about to speak, or deliever any matter in the Convention, he shall rise from his seat and address himself to the Chair; he shall confine himself to the question under consideration, and at all times avoid personality.

5th. No member shall speak more than twice in any one debate, on the same day, without leave of the Convention.

6th. When two members rise to speak, the first that rises shall be first in order, which shall be determined by the President.

7th. No motion shall be put or debated until the same be seconded.

8th. When a motion is made and seconded, it shall be reduceed to writing, when required by the President or any

member, delivered in at the table, and read, before the same shall be debated.

9th. When a question is before the Convention, no motion shall be received, but to adjourn; to lie on the table, to postpone indefinitely; to postpone to a day certain; to commit or amend; which several motions shall have precedence in the order they stand here arranged. The motion for adjournment shall always be in order, and decided without debate; but the motion for adjournment a second time shall be out of order, until the question before the Convention is first disposed of.

10th. The previous question being moved and seconded by a majority, the question from the Chair shall be: "Shall the main question now be put?" and if the yeas prevail the question shall then be put.

11th. If a question in debate contains several points, any member may have the same divided.

12th. When the yeas and nays are called by two members, each member called upon shall (unless excused) declare openly and without debate, his yea or nay to the question, and upon the call of the House, the members shall be taken by their names in alphabetical order; and no member shall be allowed to change his vote after the same has been pronounced by the Chair, unless by consent of the Convention.

13th. When a member wishes to introduce a resolution or ordinance, he shall rise from his seat, address the Chair, read the caption, and on leave report the resolution or ordinance instanter; and these reports, in point of order, shall hold the place of reports from committees. But all resolutions expressing the opinion of the Convention, shall lie at least one day on the table, unless otherwise ordered by a majority of the Convention.

14th. No ordinance shall be committed until it shall have been twice read, after which it may be referred to a Committee.

15th. When a member is called to order, he shall take his seat until the President shall have determined whether he is in order or not; every question of order shall be decided by the President without debate; but if there is a

doubt in his mind, he shall call for the sense of the Convention.

16th. If a member be called to order for words spoken, the exceptionable words shall be immediately taken down in writing, that the President may be better enabled to judge of the matter.

17th. When a blank is to be filled, and different sums and different days are proposed, the question shall be taken on the highest sum and most distant day first.

18th. All petitions shall be numbered as they are received, and taken up and decided on in the same order as they were received.

19th. No member shall absent himself from the service of the Convention, without leave first obtained; and in case a less number than a quorum of the Convention shall convene, they are hereby authorized to send any person or persons by them authorized, for any and all absent members, as a majority of such members present shall agree, at the expense of such absent members respectively, unless such excuse for non-attendance shall be made as the Convention when a quorum is convened, shall judge sufficient.

20th. No member shall leave his seat after adjournment, until the President shall have left the room.

21st. When any communication is received from the Governor, it shall be in order to take it up as soon as the matter then under consideration is disposed of.

22d. The unfinished business in which the Convention was engaged at the last preceding adjournment, shall have the preference in the order of the day, and no motion or any other business shall be received until the former is disposed of. And the Secretary shall preserve the unfinished business at the close of the present Session, subject to the order of the Convention at the next Session.

23d. No standing rule of the Convention shall be altered without one day's notice being given, expressing the intended alteration; nor shall any rule of the Convention be dispensed with, except by a vote of two-thirds of the members present.

24th. The Secretary, Assistant Secretary, and Engrossing and Enrolling Clerks shall be sworn, or affirmed, before the

presiding officer of the Convention, to discharge their respective duties faithfully, and to the best of their skill and ability; of which oath or affirmation, an entry shall be made in the Journals before they enter upon the discharge of their duties.

25th. The President may at any time call a member of the Convention to the Chair, to preside over its deliberations for that day's session, and no longer.

26th. All ordinances read a second time and referred to the Committee of the Whole, shall, unless otherwise ordered by the Convention, be taken up as reports of the Committee.

The report was received and adopted, and 500 copies ordered to be printed, under the supervision of the committee.

The President then proceeded to admininister the oath required by the 24th rule, to the Secretary.

On motion of Mr. Strother, of Lincoln, the following resolution was adopted:

Resolved, That the President of this Convention be authorized to direct seats to be provided on this floor for reporters and other representatives of Southern presses, as far as may be practicable during open session.

On motion of Mr. Glenn, of Fulton, it was

Resolved, That the Secretary of this Convention, be authorized to appoint an assistant Secretary, and a Recording Clerk.

Whereupon, The Secretary appointed Jno. H. Steele of Fulton county, assistant Secretary, and J. M. Patton of Bibb county. Recording Clerk; to each of whom the oath required by the 24th rule, was administered by the President.

On motion of Mr. Bartow, it was

Resolved, That His Excellency, Governor Brown, and ex-Governor Howell Cobb, be invited to take seats upon the floor:

And, on motion of Mr. Kenan, the same privilege was ex-

tended to the Judges of the Supreme Court, and the Judges of the Superior Courts of this State.

Mr. Styles offered the following resolution :

Resolved, That Messrs. Boughton, Nisbet & Barnes be appointed Printers to this Convention.

Mr. Reynolds moved to amend, so that the printing should be given to both the printing establishments of this city.

And Mr. Johnston moved further to amend the resolution by inserting the words, "provided the work shall be done at the same rates at which the public printing is now done."

Mr. Styles accepted both amendments, and the resolution as amended, was unanimously adopted.

Mr. Fouche offered the following resolution, which was taken up, read, and adopted :

Resolved, That His Excellency, the Governor, be requested to communicate to this Convention, all information in his possession, which may, in his opinion, be calculated to facilitate its deliberations and action ; and,also, to furnish to the Convention, if in his power to do so, a copy of the ordinance by which Georgia became a member of the Union.

The hour of 12 M. having arrived, Mr. Fleming, from the committee appointed for that purpose, introduced to the Convention, the Hon. James L. Orr, the Commissioner from South Carolina, and the Hon. John G. Shorter, the Commissioner from Alabama.

The President welcomed the Commissioners, and stated that the Convention was then ready to hear what they should be pleased to communicate :

Whereupon, The Hon. James L. Orr, and the Hon. John G. Shorter, both addressed the Convention, explaining the objects of their mission to this State.

After which, on motion of Mr. Stephens, of Taliaferro, the Convention adjourned till ten o'clock to-morrow morning.

FRIDAY, JANUARY 18, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Flinn.

The roll was called, and a quorum being present the journal was read.

Mr. Hull then introduced the following resolution:

Resolved, That the sessions of this Convention shall be with closed doors—admitting no one but the members and officers of the Convention, and those gentlemen who have been invited to seats on the floor, except when otherwise specially ordered by the Convention.

Mr. Clarke moved to amend by inserting the words, "excepting the door of the gallery," upon which a debate ensued, when Mr. Kenan called for the previous question, which being seconded, the amendment was cut off, and the resolution was adopted.

The doors were then closed, when Mr. Nisbet offered the following resolutions, which were taken up and read:

Resolved, That in the opinion of this Convention, it is the right and duty of Georgia to secede from the present Union, and to co-operate with such of the other States as have or shall do the same, for the purpose of forming a Southern Confederacy upon the basis of the Constitution of the United States.

Resolved, That a committee of———be appointed by the Chair to report an ordinance to assert the right, and fulfill the obligation of the State of Georgia to secede from the Union.

He then moved to take up the first resolution.

Whereupon Mr. Johnson, of Jefferson, offered the following preamble and Ordinance, as a substitute for Mr. Nisbet's, and moved the reference of both to a committee of twenty-one:

"The State of Georgia is attached to the Union, and desires to preserve it, if it can be done consistent with her

rights and safety; but existing circumstances admonish her of danger: that danger arises from the assaults that are made upon the institution of domestic slavery, and is common to all the Southern States. From time to time, within the last forty years, Congress has attempted to pass laws in violation of our rights, and dangerous to our welfare and safety; but they have been restrained by the united opposition of the South and the true men of the North, and thus far the country has prospered, and the South has felt comparatively secure. Recently, however, events have assumed a more threatening aspect, several of the non-slaveholding States refuse to surrender fugitive slaves, and have passed laws the most oppressive to hinder, obstruct and prevent it, in palpable violation of their constitutional obligations. The Executive Department of the government is about to pass into the hands of a sectional, political party, pledged to principles and a policy which we regard as repugnant to the Constitution. These considerations, of themselves, beget a feeling of insecurity which could not fail to alarm a people jealous of their rights. By the regular course of events, the South is in a minority in the Federal Congress, and the future presents no hope of a restoration of the equilibrium between the sections, in either house thereof. Hence the Southern States are in iminent peril, being in the power of a majority, reckless of constitutional obligations, and pledged to principles leading to our destruction. This peril is greatly augmented by the recent secession of South Carolina, Florida, Alabama and Mississippi from the Union, by which the Southern States are deprived of the benefit of their co-operation, and left in a still more hopeless minority in the Federal Congress. Therefore, whilst the State of Georgia will not and cannot, compatibly with her safety, abide permanently in the Union, without new and ample security for future safety, still she is not disposed to sever her connection with it precipitately, nor without respectful consultation with her Southern confederates. She invokes the aid of their counsel and co-operation, to secure our rights, in the Union, if possible, or to protect them out of the Union if necessary. Therefore,

First. *Be it ordained by the State of Georgia in sovereign Convention assembled*, That Delaware, Maryland, Virginia, Kentucky, North Carolina, Louisiana, Texas, Arkansas, Tennessee and Missouri, be, and they are hereby respectfully invited to meet with this State by delegates in a Congress, at Atlanta, Georgia, on the 16th of February, 1861, to take into consideration the whole subject of their relations to the Federal Government, and to devise such a course of action as their interest, equality and safety may require.

Section second. *Be it further ordained, &c.*, That the independent Republics of South Carolina, Florida, Alabama and Mississippi, be, and they are hereby cordially invited to send Commissioners to said Congress.

Section third. *Be it further ordained*, That inasmuch as Georgia is resolved not to abide permanently in this Union without satisfactory guarantees of future security, the following propositions are respectfully suggested for the consideration of her Southern Confederates as the substance of what she regards indispensable amendments to the Constitution of the United States, to-wit:

1. That Congress shall have no power to abolish or prohibit slavery in the territories or any place under their exclusive jurisdiction.

2. Each State shall be bound to surrender fugitive slaves, and if any fugitive slave shall be forcibly taken or enticed from the possession of any officer legally charged therewith for the purpose of rendition, the United States shall pay the owner the value of such slave, and the county in which such rescue or enticement may occur, shall be liable to the United States for the amount so paid to be recovered by suit in the Federal Courts.

3. It shall be a penal offence definable by Congress and punishable in the Federal Courts for any person to rescue or entice, or to encourage, aid or assist others to rescue or entice any fugitive slave from any officer legally charged with the custody thereof, for the purpose of rendition.

4. Whatever is recognized as property by the Constitution of the United States shall be held to be property in the Territories of the United States, and in all places over which Congress has exclusive jurisdiction, and all kinds of

property shall be entitled to like and equal protection therein by the several departments of the general government.

5. New States formed out of territory now belonging to the United States, or which may be hereafter acquired, shall be admitted into the Union with or without slavery as the people thereof may determine at the time of admission.

6. Congress shall have no power to prohibit or interfere with the slave trade between the States, nor to prohibit citizens of the United States passing through, or temporarily sojourning in the District of Columbia from having with them their slaves, and carrying them away, but it shall be the duty of Congress to provide by law for the punishment of all persons who may interfere with this right in the same way as is provided for in the foregoing third proposition.

7. No State shall pass any law to prohibit the citizens of any other State travelling, or temporarily sojourning therein, from carrying their slaves and returning with them; and it shall be a penal offence, definable by Congress, and punishable by the Federal Courts, for any person to entice away, or harbor, or attempt to entice away or harbor, the slave or slaves of such citizen so travelling, or temporarily sojourning.

8. The obligation to surrender fugitives from justice as provided for under the Constitution of the United States extends, and shall be held to extend as well to fugitives charged with offences connected with or committed against slavery or slave property as to any other class of offences, and for the purposes of this proposition, whatever is defined to be a criminal offence in one State shall be deemed and held a criminal offence in every other State.

9. The Supreme Court having decided that negroes are not citizens of the United States, no person of African descent shall be permitted to vote for Federal Officers, nor to hold any office or appointment under the government of the United States.

Section fourth. *Be it further ordained, &c.*, That refraining from any formal demand upon those slaveholding States which have passed them, of the repeal of the personal liberty and other acts, in any wise militating against the rendition of fugitive slaves, or fugitives from justice, yet the State of Georgia hereby announces her unalterable de-

termination not to remain permanently in confederation with those States, unless they shall purge their statute books of all such acts.

Section fifth. *Be it further ordained, &c.*, That if, between now and the time of final action upon the question of her continuance in the Union, the general government should attempt to coerce any one of the States that have recently withdrawn, or shall hereafter withdraw therefrom, the State of Georgia will make common cause with such States, and hereby pledges all her resources for their protection and defence.

Section sixth. *Be it further ordained, &c.*, That the State of Georgia will continue to hold, until her final decision in the premises, the possession of Fort Pulaski, and all other Federal property within her borders, which have been seized under the direction and authority of His Excellency the Governor of this State.

Section seventh. *Be it further ordained, &c.*, That a Commissioner be appointed by this Convention to each of the slaveholding States, now members of the Federal Union, to inform them of the action of Georgia, and to urge their conformity to the policy herein indicated, and that in response to the request of Alabama, this Convention will also appoint a Commissioner to the Convention, which she has invited at Montgomery on the 4th of February next, who is hereby instructed to urge upon that Convention so to shape their action as to conform to, and cooperate with, that of the proposed Congress at Atlanta, on the 16th day of the same month.

Section eighth. *Be it further ordained, &c.*, That if all effort fail to secure the rights of the State of Georgia in the Union, and she is reluctantly compelled to resume her separate independence, she will promptly and cordially unite with the other Southern States similarly situated, in the formation of a Southern Confederacy upon the basis of the present Constitution of the United States.

Section ninth. *Be it further ordained*, That this Convention will adjourn, to meet again on the twenty-fifth day of February next, to take such action in the premises as may be required by the proceedings of the Congress at Atlanta, and the development of intervening events, keeping stead-

fastly in view the rights, equality and safety of Georgia, and her unalterable determination to maintain them at all hazards, and to the last extremity.

After an elaborate discussion, in which Messrs. Nisbet, Johnson, of Jefferson, Cobb, Stephens of Taliaferro, Toombs, Means, Reese, Hill, of Troup, and Bartow, partipated, a call was made for the "previous question" which being sustained under the ruling of the Chair, cut off the motion to commit, and a vote on the substitute, and brought the Convention to a direct vote on the first of the original resolutions of Mr. Nisbet. Whereupon the yeas and nays were demanded, which being called resulted as follows: (the President voting in the affirmative) yeas 166, nays 130.

Those who voted in the affirmative are Messrs.

Adams of Camden,
Alexander of Fulton,
Algood,
Allen,
Anderson,
Bailey,
Banks,
Bartow,
Beall of Troup,
Benning,
Blalock,
Bozeman,
Briggs,
Brown of Houston,
Bryan,
Buchanan,
Burch,
Burnett,
Butts,
Calhoun,
Cannon of Wayne,
Cantrell,
Carson,
Chastain,
Cheshier,
Clarke,
Cleveland,
Cobb,
Coleman,
Colquitt,
Cox,
Dabney,
Daniel,
Davis of Chattahoochee,
Davenport of Clay,
Davenport of Sumter,
Dennis,
Douglass,
Dozier,
Dewberry,
Ellington,
Fleming,
Flewellen,
Fields,
Fitzpatrick,
Ford,
Fort of Stewart,
Fort of Wayne,
Fouche,
Furlow,
Gaulden,
Gardner,
Garvin,
Gee,
Gohlston,
Glenn of Fulton,
Glenn of Oglethorpe,
Glover,
Giles,
Gray,

Gresham,
Gunn,
Hall,
Hammond,
Hansell,
Hargroves,
Harvill,
Harris of Glynn,
Harris of McIntosh,
Harris of Merriwether,
Harvey,
Hawkins,
Head,
Hendry,
Hendricks,
Hill of Hart,
Hilliard,
Hines,
Hood,
Howell,
Hull,
Humphries,
Jennings,
Johnson of Oglethorpe,
Jones of Burke,
Jones of Chatham,
Lamar of Bibb,
Lamb,
Lattimer of Appling,
Lester,
Lindley,
Logan,
Logue,
Lyle,
Mabry of Berrien,
Mallary,
Martin of Elbert,
McConnell of Catoosa,
McConnell of Cherokee,
McCulloch,
McDonald,
McDowell,
McGriff,
McLeod,
Moore of Bulloch,
Moore of Spalding,
Mounger,
Munnerlyn,
Nisbet,
Padget,
Patterson,
Phinizy of Richmond,
Pinson,
Pittman,
Pitts,
Poe,
Ponder,
Porter,
Poullain,
Prescott,
Pruitt,
Ramsey of Clinch,
Ramsey of Muscogee,
Reed,
Reese,
Rice,
Richardson of Lee,
Richardson of Twiggs,
Robinson,
Robertson,
Roddey,
Rowe,
Rutherford,
Sheffield of Calhoun,
Sheffield of Early,
Shell,
Shropshire of Floyd,
Slater,
Skelton,
Simms,
Singleton,
Sirmons,
Solomons,
Spencer,
Stephens of Pierce,
Strickland of Forsyth,
Styles,
Thomas of Dooly,
Tidwell,
Tillman,
Tomlinson,
Toombs,
Troup,
Tucker of Colquitt,
Turner of Wilcox,
Usry,

Varnadoe,
Walton,
Whitehead,
Williams of McIntosh,
Willis,
Winn of Cobb,
Word,
Wright,
Young of Gordon.

Those who voted in the negative are Messrs.

Adams of Putnam,
Alexander of Upson,
Arnold,
Beasley,
Beck,
Bell of Banks,
Bell of Forsyth,
Black,
Bowen,
Brewton,
Briscoe,
Brown of Marion,
Brown of Webster,
Bullard,
Bush,
Byrd,
Cannon of Rabun,
Carswell,
Casey,
Cochran of Terrell,
Cochran of Wilkinson,
Cody,
Collins,
Corn,
Crawford of Greene,
Davis of Putnam,
Day,
Dickerson,
Deupree,
Fain,
Farnsworth,
Freeman,
Frier,
French,
Gordon,
Graham,
Hale,
Haines,
Hamilton,
Harris of Hancock,
Henderson,
Herrington,
Hill of Harris,
Hill of Troup,
Hudson of Gwinnett,
Hudson of Harris,
Huggins,
Hust,
Jackson,
Johnson of Clayton,
Johnson of Hall,
Johnson of Jefferson,
Jordon,
Kenan,
Ketchum,
Killgore,
Kimsey,
Kirkland,
Knox,
Lamar of Lincoln,
Langmade,
Lattimer of Montgomery,
Low,
Long,
Mabry of Heard,
Manson,
Martin of Lumpkin,
McDaniel,
McRae,
Means,
Mershon,
Milton,
Mitchell,
Montgomery,
Morrow,
Neal of Columbia,
Neal of Talbot,
Newton.
Overstreet,
Paris,
Patrick,
Perkins,

Phinizy of Monroe,
Pickett,
Pierce,
Pofford,
Price,
Reynolds,
Saffold,
Sherman,
Sharpe,
Shropshire of Chattooga,
Simmons of Gwinnett,
Simmons of Pickens,
Sisk,
Smith of Charlton,
Smith of DeKalb,
Smith of Johnson,
Smith of Talbot,
Spence,
Stapleton,
Starr,
Stephens of Hancock,
Stephens of Monroe,
Stephens of Taliaferro,
Street,
Strickland of Tatnall,
Taliaferro,
Teasley,
Thomas of Whitfield,
Trippe,
Tucker of Laurens,
Turner of Hancock,
Warner,
Waterhouse,
Webb,
Wellborn,
West,
Whelchel,
Wicker,
Willingham,
Williams of Chattooga,
Williams of Harris,
Williamson,
Winn of Gwinnett,
Wofford,
Wood,
Yates,
Yopp,
Young of Irwin.

So the resolution was adopted.

Mr. Nisbet then moved to fill the blank in the second resolution with the word "*seventeen*," which agreed to, and on his motion that resolution was adopted.

The President then announced the following as the "Committee of seventeen" under said resolution, to-wit:

Messrs. Nisbet,
Toombs,
Johnson of Jefferson,
Bartow,
Stephens of Taliaferro,
Benning,
Williamson,
Brown of Marion,
Hill of Harris,
Rice,
Hill of Troup,
Trippe,
Chastain,
Cobb,
Colquitt,
Kenan,
Reese.

The following message having been received from His Excellency the Governor, through Mr. Waters, his Secretary, was taken up and read:

EXECUTIVE DEPARTMENT,
MILLEDGEVILLE, January 18, 1861.

To the Convention:

In response to the resolution delivered to me by your Secretary on yesterday, I have the honor to state that I have no official information in my possession, of a character not generally made public, which could, in my opinion, facilitate the deliberations and actions of the Convention.

The original ordinance by which this State ratified the Constitution of the United States, has not, it seems, been preserved. I find a printed copy of it, however, in a supplement to the Journal of the Federal Constitution, from which the copy is taken which is herewith transmitted.

Though not strictly in response to the call made upon me, I take the liberty to lay before the Convention an original letter from the Governor of the State of New York, accompanied by certain joint resolutions passed by the Legislature of that State, on the eleventh day of this month, which were received at this Department by the mail of yesterday.

JOSEPH E. BROWN.

The following is a copy of the communication referred to by His Excellency, Gov. Brown, and also of the resolutions:

STATE OF NEW YORK.

EXECUTIVE DEPARTMENT,
ALBANY, January 11, 1861.

Sir: In obedience to the request of the Legislature of this State, I transmit herewith a copy of the concurrent resolutions of that body, adopted this day, tendering the aid of the State to the President of the United States, to enable him to enforce the Laws, and to uphold the authority of the Federal Government.

I have the honor to be,

Your Excellency's Obd't Servt,
EDWIN D. MORGAN.

His Excellency, JOSEPH E. BROWN,
Governor of the State of Georgia, Milledgeville.

Concurrent Resolutions tendering aid to the President of the United States in support of the Constitution and the Union.

STATE OF NEW YORK.

IN ASSEMBLY, January 11, 1861.

WHEREAS, Treason as defined by the Constitution of the United States, exists in one or more of the States of this Confederacy, and

WHEREAS, The insurgent State of South Carolina, after seizing the Post-Office, Custom House, Moneys and Fortifications of the Federal Government, has, by firing into a vessel ordered by the Government to convey troops and provisions to Fort Sumter, virtually declared war; and whereas, the forts and property of the United States Government in Georgia, Alabama and Louisiana, have been unlawfully seized with hostile intentions; and whereas, further, Senators in Congress avow and maintain their treasonable acts; therefore

Resolved, (If the Senate concur,) That the Legislature of New York, profoundly impressed with the value of the Union, and determined to preserve it unimpaired, hail with joy the recent firm, dignified and patriotic Special Message of the President of the United States, and that we tender to him, through the Chief Magistrate of our own State, whatever aid in men and money he may require to enable him to enforce the laws, and uphold the authority of the Federal Government. And that in defense of "the more perfect Union," which has conferred prosperity and happiness upon the American people, renewing the pledge given and redeemed by our Fathers, we are ready to devote "our fortunes, our lives, and our sacred honor" in upholding the Union and the Constitution.

Resolved, (If the Senate concur,) That the Union-loving Representatives and citizens of Delaware, Maryland, Virginia, North Carolina, Kentucky, Missouri and Tennessee, who labor with devoted courage and patriotism to withhold their States from the vortex of Secession, are entitled to the gratitude and admiration of the whole people.

Resolved, (If the Senate concur,) That the Governor be respectfully requested to forward, forthwith, copies of the

foregoing resolutions to the President of the Nation, and the Governors of all the States of the Union.

The preceding Preamble and Resolutions were duly passed.

By order. H. A. RISLEY, Clerk.

In Senate, January 11, 1861. The preceding Preamble and Resolutions were duly passed.

By order. JAMES TERWILLIGER, Clerk.

Mr. Toombs offered the following resolution, which was taken up, read and adopted:

Resolved, Unanimously, in response to the resolutions of New York, referred to in the Governor's Message, that this Convention highly approves the energetic and patriotic conduct of Governor Brown in taking possession of Fort Pulaski by Georgia troops, and requests him to hold possession until the relations of Georgia with the Federal Government be determined by this Convention: and that a copy of this resolution be transmitted to the Governor of New York.

Mr. Bartow offered the following resolution:

Resolved, That the President do appoint the following "Standing Committees" for the Convention, each to consist of thirteen members:

1st. A Committee on relations with the slaveholding States of North-America.

2d. A Committee on Foreign Relations.

3d. A Committee on Commercial Relations, and Postal Arrangements.

4th. A Committee on Military Affairs.

5th. A Committee on the Constitution of this State, and the Constitution and Laws of the United States.

Mr. Martin introduced the following resolution:

Resolved, That the Governor be requested to furnish this Convention with a statement of the result of the election of delegates for this Convention, specifying the whole num-

ber of votes polled in each county, and the number received by each candidate.

On motion the Convention then adjourned till 10 o'clock to-morrow morning.

SATURDAY, JANUARY 19, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Willes.

A quorum being present, the journal of yesterday was read.

On motion, Mr. Harris, of Meriwether, and Mr. Strother, of Lincoln, got leave to record their votes upon the resolutions of Mr. Nisbet adopted on yesterday, they having been absent when the vote was taken, on account of sickness.

Mr. Clarke moved to reconsider the resolution adopted on yesterday to close the doors of the hall during the sessions of this Convention, in order to amend the same by inserting the words "excepting the door of the gallery."

The motion to reconsider was lost.

Mr. Varnadoe offered the following resolution:

Resolved, That the reporters allowed seats on this floor by resolution on the second day of its session be permitted to hold seats in the gallery during the sessions with closed doors.

The resolution was taken up and lost.

Mr. Martin moved to take up the resolution offered by him on yesterday, calling upon the Governor for information concerning the number of votes given by the people at the election for delegates to this Convention.

The resolution was taken up.

Mr. Hood moved the indefinite postponement of the same.

Whereupon the yeas and nays were demanded.

There are yeas 168; nays 127, to wit:

Those who voted in the affirmative are Messrs.:

Adams of Camden,
Alexander of Fulton,
Algood,
Anderson,
Bailey,
Banks,
Bartow,
Beall of Troup,
Benning,
Blalock,
Bozeman,
Briggs,
Brown of Houston,
Bryan,
Buchanan,
Burch,
Burnett,
Butts,
Calhoun,
Cannon of Wayne,
Cantrell,
Carson,
Chastain,
Cheshier,
Clark,
Cleveland,
Cobb,
Coleman,
Colquitt,
Cox,
Dabney,
Daniel,
Davis of Chattahoochee,
Davis of Putnam,
Davenport of Clay,
Davenport of Sumter,
Dennis,
Douglass,
Dozier,
Dewberry,
Ellington,
Fleming,
Flewellen,
Fields,
Fitzpatrick,
Ford,
Fort of Stewart,
Fort of Wayne,
Fouche,
Furlow,
Gaulden,
Gardner,
Garvin,
Gee,
Gholston,
Glenn of Fulton,
Glenn of Oglethorpe,
Glover,
Giles,
Gray,
Gresham,
Gunn,
Hall,
Hammond,
Hansell,
Hargroves,
Harville,
Harris of Glynn,
Harris of McIntosh,
Harris of Meriwether,
Harvey,
Hawkins,
Head,
Hendry,
Hendricks,
Hill of Hart,
Hilliard,
Hines,
Hood,
Howell,
Hull,
Humphries,
Jennings,
Johnson of Oglethorpe,
Jones of Burke,
Jones of Chatham,
Lamar of Bibb,
Lamb,

Lattimer of Appling,
Lester,
Lindley,
Logan,
Logue,
Lyle,
Mabry of Berrien,
Mallary,
Martin of Elbert,
McConnell of Catoosa,
McConnell of Cherokee,
McCullough,
McDonald,
McDowell,
McGriff,
McLeod,
Moore of Bulloch,
Moor of Spalding,
Mounger,
Munnerlyn,
Nisbet,
Padget,
Pariss,
Patterson,
Phinizy of Monroe,
Phinizy of Richmond,
Pinson,
Pittman,
Pitts,
Poe,
Ponder,
Porter,
Poullain,
Prescott,
Pruett,
Ramsey of Clinch,
Ramsey of Muscogee,
Reed,
Reese,
Rice,
Richardson of Lee,
Richardson of Twiggs,
Robinson,
Robertson,
Roddey,
Rowe,
Rutherford,
Sheffield of Calhoun,
Sheffield of Early,
Shell,
Shropshire of Floyd.
Skelton,
Simms,
Singleton,
Solomons,
Spencer,
Stephens of Monroe,
Stephens of Pierce,
Strickland of Forsyth,
Styles,
Teasley,
Thomas of Dooly,
Tidwell,
Tillman,
Tomlinson,
Toombs,
Troup,
Tucker of Colquitt,
Turner of Wilcox,
Usry,
Varnadoe,
Walton,
Waterhouse,
Whitehead,
Williams of McIntosh,
Willis,
Winn of Cobb,
Word,
Wright,
Young of Gordon.

Those who voted in the negative are Messrs.:

Adams of Putnam,
Alexander of Upson,
Allen,
Arnold,
Beasley,
Beck,
Beall of Forsyth,
Bell of Banks,
Black,
Bowen,
Brewton,
Briscoe,

Brown of Marion,
Brown of Webster,
Bullard,
Bush,
Byrd,
Cannon of Rabun,
Carswell,
Casey,
Cochran of Terrell,
Cochran of Wilkinson,
Cody,
Collins,
Corn,
Crawford of Greene,
Day,
Dickerson,
Deupree,
Fain,
Farnsworth,
Freeman,
Frier,
French,
Gordon,
Graham,
Hale,
Haines,
Hamilton,
Harris of Hancock,
Henderson,
Herrington,
Hill of Harris,
Hill of Troup,
Hudson of Gwinnett,
Hudson of Harris,
Huggins,
Hurst,
Jackson,
Johnson of Clayton,
Johnson of Hall,
Johnson of Jefferson,
Jordan,
Kenan,
Ketchum,
Killgore,
Kirnsey,
Kirkland,
Knox,
Lamar of Lincoln,
Langmade,
Lattimer of Montgomery,
Law,
Long,
Mabry of Heard,
Manson,
Martin of Lumpkin,
McDaniel,
McLain,
McRae,
Means,
Mershon,
Milton,
Mitchell,
Montgomery,
Morrow,
Neal of Columbia,
Neal of Talbot,
Newton,
Overstreet,
Patrick,
Perkins,
Pickett,
Pierce,
Pofford,
Price,
Reynolds,
Saffold,
Sharman,
Sharpe,
Shropshire of Chattooga.
Slater,
Simmons of Gwinnett,
Simmons of Pickens,
Sirmons,
Sisk,
Smith of Charlton,
Smith of DeKalb,
Smith of Johnson,
Smith of Talbot,
Spence,
Stapleton,
Starr,
Stephens of Hancock,
Stephens of Taliaferro.
Street,
Strickland of Tatnall,
Taliaferro,

Thomas of Whitfield,
Trippe,
Turner of Hancock,
Warner,
Webb,
Wellborn,
West,
Whelchel,
Wicker,
Willingham,
Williams of Chattooga.
Williams of Harris,
Williamson,
Winn of Gwinnett,
Wofford,
Wood,
Yates,
Yopp,
Young of Irwin.

So the motion prevailed.

On motion of Mr. Stephens, of Taliaferro, the Door Keeper was directed to employ an assistant.

Mr. Nisbet, from the committee appointed to report an Ordinance to assert the right and fulfil the obligation of the State of Georgia to secede from the Union, reported the following:

AN ORDINANCE

To dissolve the Union between the State of Georgia and other States united with her under a compact of Government entitled "the Constitution of the United States of America."

We, the people of the State of Georgia, in Convention assembled, do declare and ordain, and it is hereby declared and ordained:

That the ordinance adopted by the people of the State of Georgia in Convention on the second day of January in the year of our Lord seventeen hundred and eighty-eight, whereby the Constitution of the United States of America was assented to, ratified and adopted; and also all acts and parts of acts of the General Assembly of this State ratifying and adopting amendments of the said Constitution, are hereby repealed, rescinded and abrogated.

We do further declare and ordain, That the Union now subsisting between the State of Georgia and other States, under the name of the "United States of America," is hereby dissolved, and that the State of Georgia is in the

full possession and exercise of all those rights of sovereignty which belong and appertain to a free and independent State.

The report was taken up, and, on motion of Mr. Toombs, the ordinance was twice read.

Mr. Hill, of Troup, moved that the preamble and resolutions offered by Mr. Johnson, of Jefferson, on yesterday, as a substitute for the resolutions adopted by the Convention raising the committee to report an ordinance to assert the right and fulfil the obligation of the State of Georgia to secede from the Union, be received as a substitute for the same.

On which motion the yeas and nays were demanded.

There are yeas 133; nays 164, to wit:

Those who voted in the affirmative are Messrs.:

Adams of Putnam,
Alexander of Upson,
Arnold,
Beasley,
Beck,
Bell of Banks,
Bell of Forsyth,
Black,
Bowen,
Brewton,
Briscoe,
Brown of Marion,
Brown of Webster,
Bullard.
Bush,
Byrd,
Cannon of Rabun,
Carswell,
Casey,
Cochran of Terrell,
Cochran of Wilkinson,
Cody,
Collins,
Corn,
Crawford of Greene,
Davis of Putnam,
Day,
Dickerson,
Deupree,
Fain,
Farnsworth,
Fields,
Freeman,
Frier,
French,
Gordon,
Graham,
Hale,
Haines,
Hamilton,
Harris of Hancock,
Harris of Meriwether,
Henderson,
Herrington,
Hill of Harris,
Hill of Troup,
Hudson of Gwinnett,
Hudson of Harris,
Huggins,
Hust,
Jackson,
Johnson of Clayton,
Johnson of Hall,
Johnson of Jefferson,
Jordan,
Kenan,
Ketchum,
Killgore,

Kimsey,
Kirkland,
Knox,
Lamar of Lincoln,
Langmade,
Lattimer of Montgomery,
Low,
Long,
Mabry of Heard,
Manson,
Martin of Lumpkin,
McDaniel,
McLain,
McRae,
Means,
Mershon,
Milton,
Mitchell,
Montgomery,
Morrow,
Neal of Columbia,
Neal of Talbot,
Newton,
Overstreet,
Paris,
Patrick,
Perkins,
Phinizy of Monroe,
Pickett,
Pierce,
Pofford,
Price,
Reynolds,
Saffold,
Sharman,
Sharpe,
Shropshire of Chattooga,
Simmons of Gwinnett,
Simmons of Pickens,
Sisk.
Smith of Charlton,
Smith of DeKalb,
Smith of Johnson,
Smith of Talbot,
Spence,
Stapleton,
Starr,
Stephens of Hancock,
Stephens of Monroe,
Stephens of Taliaferro,
Street,
Strickland of Tatnall,
Taliaferro,
Teasley,
Thomas of Whitfield,
Trippe,
Tucker of Laurens,
Turner of Hancock,
Warner,
Waterhouse,
Webb,
Wellborn,
West,
Whelchel,
Wicker,
Willingham,
Williams of Chattooga,
Williams of Harris,
Williamson,
Winn of Gwinnett,
Wofford,
Wood,
Yates,
Yopp,
Young, of Irwin,

Those who voted in the negative are Messrs.:

Adams of Camden,
Alexander of Fulton,
Algood,
Allen,
Anderson,
Bailey,
Banks,
Bartow,
Beall of Troup,
Benning,
Blalock,
Bozeman,
Briggs,
Brown of Houston,
Bryan,
Buchanan,

Burch,
Burnett,
Butts,
Calhoun,
Cannon of Wayne,
Cantrell,
Carson,
Ghastain,
Cheshier,
Clarke,
Cleveland,
Cobb,
Coleman,
Colquitt,
Cox,
Dabney,
Daniel,
Davis of Chattahoochee,
Davenport of Clay,
Davenport of Sumter,
Dennis,
Douglass,
Dozier,
Dewberry,
Ellington,
Fleming,
Flewellen,
Fitzpatrick,
Ford,
Fort of Stewart,
Fort of Wayne,
Fouche,
Furlow,
Gaulden,
Gardner,
Garvin,
Gee,
Gholston,
Glenn of Fulton,
Glenn of Oglethorpe,
Glover,
Giles,
Gray,
Gresham,
Gunn,
Hall,
Hammond.
Hansell,
Hargroves,
Harville,
Harris of Glynn,
Harris of McIntosh,
Harvey,
Hawkins,
Head,
Hendry,
Hendricks,
Hill of Hart,
Hilliard,
Hines,
Hood,
Howell,
Hull,
Humphries,
Jennings,
Johnson of Oglethorpe,
Jones of Burke,
Jones of Chatham,
Lamar of Bibb,
Lamb,
Lattimer of Appling,
Lester,
Lindley,
Logan,
Logue,
Lyle,
Mabry of Berrien,
Mallary,
Martin of Elbert,
McConnell of Catoosa,
McConnell of Cherokee,
McCulloch,
McDonald,
McDowell,
McGriff,
McLeod,
Moore of Bulloch,
Moor of Spalding,
Mounger,
Munnerlyn,
Nisbet,
Padget,
Patterson,
Phinizy of Richmond,

Pinson,	Simms,
Pittman,	Singleton,
Pitts,	Sirmons,
Poe,	Solomons,
Ponder,	Spencer,
Porter,	Stephens of Pierce,
Poullain,	Strickland of Forsyth,
Prescott,	Strother,
Pruett,	Styles,
Ramsey of Clinch,	Thomas of Dooly,
Ramsey of Muscogee,	Tidwell,
Reed,	Tillman,
Reese,	Tomlinson,
Rice,	Toombs,
Richardson of Lee,	Troup,
Richardson of Twiggs,	Tucker of Colquitt,
Robinson,	Turner of Wilcox,
Robertson,	Usry,
Roddey,	Varnadoe,
Rowe,	Walton,
Rutherford,	Whitehead,
Sheffield of Calhoun,	Williams of McIntosh,
Sheffield of Early,	Willis,
Shell,	Winn of Cobb,
Shropshire of Floyd,	Word,
Slater,	Wright,
Skelton,	Young of Gordon,

So the motion was lost.

Mr. Nisbet moved that the Ordinance be put upon its passage.

Whereupon Mr. Simmons, of Gwinnett, offered the following amendment:

"Provided that this ordinance shall go into effect on the third day of March next."

Mr. Hood moved the previous question, which being seconded, the question came up on the passage of the ordinance, when the yeas and nays were demanded.

There are yeas 208; nays 89—the President voting in the affirmative—to wit:

Those who voted in the affirmative are Messrs.

Adams of Camden,	Algood,
Alexander of Fulton,	Allen,

Anderson,
Bailey,
Banks,
Bartow,
Beasley,
Beall of Troup,
Benning,
Black,
Blalock,
Bowen,
Bozeman,
Briggs,
Briscoe.
Brown of Houston,
Brown of Marion,
Brown of Webster,
Bryan,
Buchanan,
Bullard,
Burch,
Burnett,
Bush,
Butts,
Calhoun,
Cannon of Wayne,
Cantrell,
Carson,
Casey,
Chastain,
Cheshier,
Clarke,
Cleveland,
Cobb,
Cody,
Coleman,
Collins,
Colquitt,
Cox,
Crawford of Greene,
Crawford of Richmond,
Dabney,
Daniel,
Davis of Chattahoochee,
Davenport of Clay,
Davenport of Sumter,
Dennis,
Douglass,
Dozier,
Dewberry,
Ellington,
Fleming,
Flewellen,
Fields,
Fitzpatrick,
Ford,
Fort of Stewart,
Fort of Wayne,
Fouche,
French,
Furlow,
Gaulden,
Gardner,
Garvin,
Gee,
Gholston,
Glenn of Fulton,
Glenn of Oglethorpe,
Glover,
Giles,
Gray,
Gresham,
Gunn,
Hall,
Haines,
Hammond,
Hansell,
Hargroves,
Harville,
Harris of Glynn,
Harris of Hancock,
Harris of McIntosh,
Harris of Meriwether,
Harvey,
Hawkins,
Head,
Henderson,
Hendry,
Hendricks,
Hill of Harris,
Hill of Hart,
Hill of Troup,
Hilliard,
Hines,
Hood,
Howell,
Hudson of Harris,

Hull,
Humphries,
Jennings,
Johnson of Clayton,
Johnson of Oglethorpe,
Jones of Burke,
Jones of Chatham,
Ketchum,
Lamar of Lincoln,
Lamar of Bibb,
Lamb,
Langmade,
Lattimer of Appling,
Low,
Lester,
Lindley,
Logan,
Logue,
Long,
Lyle,
Mabry of Berrien,
Mallary,
Martin of Elbert,
McConnell of Catoosa,
McConnell of Cherokee,
McCulloch,
McDaniel,
McDonald,
McDowell,
McGriff,
McLeod,
Means,
Mershon,
Moore of Bulloch,
Moore of Spalding,
Montgomery,
Mounger,
Munnerlyn,
Neal of Columbia,
Nisbet,
Padget,
Patterson,
Phinizy of Richmond,
Pinson,
Pittman,
Pitts,
Poe,
Ponder,
Porter,
Poullain,
Prescott,
Pruett,
Ramsey of Clinch,
Ramsey of Muscogee,
Reed,
Reese,
Rice,
Richardson of Lee,
Richardson of Twiggs,
Robinson,
Robertson,
Roddey,
Rowe,
Rutherford,
Saffold,
Sheffield of Calhoun,
Sheffield of Early,
Shell,
Shropshire of Floyd,
Slater,
Skelton,
Simms,
Singleton,
Sirmons,
Sisk,
Smith of Talbot,
Solomons,
Spence,
Spencer,
Stephens of Monroe,
Stephens of Pierce,
Strickland of Forsyth,
Strother,
Styles,
Teasley,
Thomas of Dooly,
Thomas of Whitfield,
Tidwell,
Tillman,
Tomlinson,
Toombs,
Troup,
Tucker of Colquitt,
Turner of Hancock,
Turner of Wilcox,
Usry,

Varnadoe,
Walton,
Whitehead,
Wicker,
Williams of Harris,
Williams of McIntosh,
Willis,
Winn of Cobb,
Word,
Wright,
Yopp,
Young of Gordon.

Those who voted in the negative, are Messrs.

Alexander of Upson,
Arnold,
Beck,
Bell of Banks,
Bell of Forsyth,
Brewton,
Byrd,
Cannon of Rabun,
Carswell,
Cochran of Terrell,
Cochran of Wilkinson,
Corn,
Davis of Putnam,
Day,
Dickerson,
Deupree,
Fain,
Farnsworth,
Freeman,
Frier,
Gordon,
Graham,
Hale,
Hamilton,
Herrington,
Hudson of Gwinnett,
Huggins,
Hust,
Jackson,
Johnson of Hall,
Johnson of Jefferson,
Jordan,
Kenan,
Killgore,
Kimsey,
Kirkland,
Knox,
Lattimer of Montgomery,
Mabry of Heard,
Manson,
Martin of Lumpkin,
McLain,
McRae,
Milton,
Mitchell,
Morrow,
Neal of Talbot,
Newton,
Overstreet,
Paris,
Patrick,
Perkins,
Phinizy of Monroe,
Pickett,
Pierce,
Pofford,
Price,
Reynolds,
Sharman,
Sharpe,
Shropshire of Chattooga,
Simmons of Gwinnett,
Simmons of Pickens,
Smith of Charlton,
Smith of DeKalb,
Smith of Johnson,
Stapleton,
Starr,
Stephens of Hancock,
Stephens of Taliaferro,
Street,
Strickland of Tatnall,
Taliaferro,
Trippe,
Tucker of Laurens,
Warner,
Waterhouse,
Webb,

Wellborn,
West,
Whelchel,
Willingham,
Williams of Chattooga.
Williamson,
Winn of Gwinnett,
Wofford,
Wood,
Yates,
Young of Irwin.

So the ordinance was adopted.

Whereupon the President said that it was his privilege and pleasure to declare that the State of Georgia was free, sovereign, and independent.

Mr. Beall, of Troup offered the following resolution:

Resolved, That the Secretary of the Convention prepare parchment upon which to enrol the ordinance of secession for the signature of the members of the Convention, and that the same be deposited among the archives of the State of Georgia.

Mr. Nisbet offered the following as a substitute for the foregoing:

Resolved, That the ordinance of secession be engrossed, under the direction of a committee of three to be appointed by the chair, upon parchment, and reported to the Convention for signature at 12 o'clock on Monday next, and when signed that it be deposited in the archives of the State.

Resolved, That the committee appointed by the above resolution be, and they are hereby instructed to invite his Excellency the Governor, the Commissioners from South Carolina and Alabama, and the Judges of the Supreme Court, who may be in attendance, to be present at the signing of the ordinance.

The substitute was received and adopted.

The chair announced the following as the committee under the foregoing resolution, to wit:

Messrs. Beall of Troup,
Varnadoe of Liberty.
Hawkins of Sumter.

On motion of Mr. Bartow, the resolution offered by him

on yesterday for the appointment of standing committees, was taken up and agreed to.

Mr. Bartow offered the following resolution, which was taken up and read:

Resolved, That until otherwise ordered by this Convention, the Collectors of Customs and Postmasters within this State, shall continue to discharge the duties of their offices, in accordance with the regulations heretofore governing them.

Mr. Nisbet moved to amend the same by inserting after the word "Postmasters" the words "*and all civil Federal officers.*"

The amendment was adopted, and the resolution as amended was passed.

Mr. Alexander of Upson, offered the following resolutions, which were read:

Resolved, as the sense of this Convention, That the people of Georgia would be willing that the Federal Union, now broken and dissolved, should be reconstructed whenever the same can be done upon a basis that would secure, permanently and unequivocally, the full measure of the rights and equality of the people of the slaveholding States.

Resolved, That we recommend to any Convention that may be held by the slaveholding States, the consideration of the policy indicated by the foregoing resolution, and that said Convention, in the event that it concurs in the same, should consider and declare the terms and conditions upon which such reconstruction may be had.

Resolved, That the President of this Convention cause a copy of these resolutions to be forwarded to any Convention that may be held by the slaveholding States.

Leave of absence was granted to Messrs. Strother of Lincoln, and Banks of Stewart, on account of sickness.

On motion of Mr. Hood, the Convention adjourned till ten o'clock Monday morning.

MONDAY, JANUARY 21, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Crawford.

A quorum being present, the journal was read.

Mr. Simms, of Decatur, moved to reconsider so much of the journal of yesterday, as relates to the passage of the resolution, offered by Mr. Bartow, in order to strike out the amendment thereto, concerning "*Civil Federal Officers.*"

The motion did not prevail.

On motion of Mr. Harris of Meriwether, Mr. Martin a delgate from the same county, was permitted to record his vote on each of the propositions offered by Messrs. Nisbet and Johnson, of Jefferson, to the Convention---that delegate having been prevented from voting on the same by indisposition.

Mr. Martin, therefore, voted in the affirmative for the substitute offered by Mr. Johnson of Jefferson, and in the negative on the resolutions offered by Mr. Nisbet, and in the affirmative on the adoption of the ordinance of secession.

Mr. Fleming laid on the table the following ordinance, which was read.

AN ORDINANCE

To prescribe the mode in which the acts, records and judicial proceedings in each of the States lately composing the Union, known as the United States of America, and the records and exemplifications of office books, which are or may be kept in any public office of any such State, not pertaining to a Court, shall be authenticated so as to take effect in the State of Georgia.

The people of Georgia in Convention assembled, do ordain and declare, and it is hereby ordained and declared as follows, to-wit :

1st. That until further legislation by the General Assembly, the records and judicial proceedings of the Courts of

any of the States lately composing the Union, known as the United States of America, shall be proved or admitted in any of the Courts within the State of Georgia, by the attestation of the Clerk, and the seal of the Court annexed, if there be a seal, together with the certificate of the Judge, Chief Justice, or presiding Magistrate, as the case may be, that the attestation is in due form. And the said records and judicial proceedings authenticated as aforesaid, shall have such faith and credit given to them in any Court of the State of Georgia, as they have law or usage in the Courts of the State, from which the said records are or shall be taken.

SEC. 2. That until further legislation, all records and exemplifications of office books, which are, or may be kept in any State of such Union, not appertaining to a Court, shall be proved or admitted in any other Court or office in this State, by the attestation of the keeper of said records or books, with the seal of his office thereto annexed, if there be a seal, together with the certificate of the presiding Justice of the Court of the county or district, as the case may be, in which such office is or may be kept, or of the Governor, Secretary of State, Chancellor or keeper of the great seal of the State, that the said attestation is in due form and by the proper officer. And the said certificate if given by the presiding Justice of a Court, shall be further authenticated by the Clerk or protonotary of the said Court, who shall certify under his hand and the seal of his office, that the said presiding Justice is duly commissioned and qualified, or if the said certificate be given by the Governor, the Secretary of State, or keeper of the great seal, it shall be under the great seal of the State in which such certificate is made. And the said records and exemplifications authenticated as aforesaid, shall have such faith and credit given to them within this State, as they have law or usage in the Courts or office of the State whence the same are or shall be taken.

SEC. 3. That until such further legislation, the provisions of this ordinance shall apply to the public acts, records, office books, judicial proceedings, Courts and offices of the respective territories, lately of said Union, and countries lately subject to the jurisdiction thereof.

Mr. Cochran of Wilkinson, laid on the table the following preamble and resolutions which were read.

"The aggressions of the people of the Northern States, of the Republic of the United States of America, upon the constitutional rights of the State of Georgia, having been deemed by the people of Georgia sufficient cause to impel her in the maintainance of her rights and honor, to withdraw her connection with the Federal Union, and to resume her sovereignty and independence, justice to herself requires that she should demand her proportional part of the public property, and intending to preserve untarnished, her honor, in the discharge of every moral obligation, and in good faith to the creditors of the General Government, contracted with while Georgia was a member thereof, urge her to a guarantee of the payment of her *pro rata* part of the public debt of the United States, existing at the time of the act of secession of this State from the Union.

Be it therefore resolved, That Georgia will demand, and enforce her rights, to her proportion of the public property, held by the General Government at the time of the dissolution of the partnership.

Resolved further, That Georgia will assume and guarantee the payment of her *pro rata* part of the public debt of the United States, existing at the time of her secession from the Union.

Resolved further, That the foregoing resolutions be communicated to the Governor, with the request that he lay them before the Legislature upon its re-assembling, with the recommendation of this Convention that the Legislature take such action as may be necessary to carry the same into effect.

Resolved further, That this Convention of the people of Georgia, respectfully call the attention of our sister seceding States to this subject, and ask their co-operation in the policy, and that the Governor of Georgia be requested to communicate the same to the respective Governor's thereof."

Mr. Varnadoe offered the following ordinance which was read:

"*Whereas*, many of the citizens of Georgia hold office in the Army or Navy of the United States, who impelled by patriotic impulses, will resign and return to their native State:

Therefore, The people of Georgia, in Convention, do hereby ordain, that such shall be allowed the same rank and grade in the Army and Navy of the Commonwealth of Georgia, with the same pay and emoluments, which they receive in the Army or Navy of the United States."

Mr. Johnson, of Clayton, offered the following resolutions which were taken up, and read:

"*Resolved*, That the Hon. T. L. Guerry, President of the Senate, and the Hon. C. J. Williams, Speaker of the House of Representatives be, and they are hereby invited to seats on the floor of this Convention.

And be it further resolved, That the gallery be opened from day to day, unless otherwise ordered by the President, for the reception of the ladies, and that this Convention respectfully invite them to seats in the same."

Mr. Cannon, of Wayne, moved to strike out the word "*ladies*," in the last resolution, which was carried.

Mr. Styles moved to insert "*reporters*," pending the consideration of which, Mr. Hill, of Troup, moved to strike out all after the word "*President*," which was carried.

Mr. Briscoe moved to divide the resolutions, which motion prevailed.

Whereupon, the first resolution was adopted.

The second resolution as amended, was then put upon its passage, when

Mr. Styles moved to insert, "and that Reporters be invited to seats upon the floor."

Mr. Cannon, of Wayne, moved to amend by limiting the number of reporters to "*ten*," which motion prevailed.

The amendment of Mr. Styles, as amended did not prevail.

On the question being put, the second resolution in the following form was adopted, to-wit:

And be it further resolved, That the gallery be opened from day to day, unless otherwise ordered by the President.

Mr. Nisbet, offered the following preamble and resolution which were taken up and read:

"*Whereas*, the lack of unanimity in the action of this Convention, in the passage of the Ordinance of Secession, indicates a difference of opinion amongst the members of the Convention, not so much as to the rights which Georgia claims, or the wrongs of which she complains, as to the remedy and its application before a resort to other means of redress:

And whereas, it is desirable to give expression to that intention which really exists among all the members of this Convention, to sustain the State in the course of action which she has pronounced to be proper for the occasion, therefore:

Resolved, That all members of this Convention, including those who voted against the said ordinance, as well as those who voted for it, will sign the same as a pledge of the unanimous determination of this Convention to sustain and defend the State, in this her chosen remedy, with all its responsibilities and consequences, without regard to individual approval or disapproval of its adoption."

Mr. Nisbet then moved their adoption, which motion prevailed.

Mr. Shropshire, of Floyd, laid upon the table the following resolution, which was read:

"*Whereas*, it is now, more than ever before, the duty of Georgia, to husband all her resources, and whereas, an economical administration of the Government, will greatly tend to the accomplishment of this object.

Therefore be it resolved, That a committee of,———be appointed, whose duty it shall be to inquire into the power of this Convention, to reduce the number of Senators and Representatives in the General Assembly of Georgia, and if the power to do so, exists in this body, to report an ordinance or such other measure as will effect this purpose, and on such basis as they may think best.

Mr. Beall, of Troup, from the committee to prepare the Ordinance of Secession for the signatures of the delegates, reported that the committee had discharged that duty, and that the ordinance was engrossed upon parchment, and was subject to the disposition of the Convention.

Mr. Cobb offered the following resolutions, which were read:

Resolved, That the committee on foreign affairs (when appointed), be requested to nominate to this Convention for its ratification, the names of two proper persons to represent the State of Georgia, as Commissioners to the Conventions of the people of the States of Lousiana and Texas respectively.

Resolved further, That the same committee be requested to consider and report upon the propriety of requesting those slave-holding States, which shall not have seceded by the fourth day of February next, to appoint Commissioners to represent such States, at the Congress of the seceding States, to be held at Montgomery on that day.

He then moved to take up and adopt the first resolution.

Which motion prevailed.

Mr. Martin moved to take up his resolution, directing that the Ordinance of Secession be published by proclamation of the Governor, and submitted to the people of this State for ratification by the 20th of February next, &c.

The motion to take up prevailed.

He then moved that the resolution be adopted.

The motion was lost.

Mr. Chastain laid on the table the following resolution, which was read:

Resolved, That this Convention in behalf of the Republic of Georgia, assume the payment of debts to become due carriers of mails from and after the passage of the Ordinance of Secession.

The President, at 12 o'clock M. announced to the Convention, that the hour had arrived for signing the Ordinance of Secession, and having first placed his signature thereto,

the Secretary was directed to "call the counties," when the delegates proceeded to affix their signatures to the same.

Mr. Nisbet then moved that the committee to prepare the Ordinance of Secession for the signatures of the delegates, now cause the great seal of the State to be attached thereto.

The motion prevailed.

Mr. Hilliard offered the following resolution, which was taken up, read, and adopted.

Resolved, That the President of this Convention, cause a certified copy of the ordinance just signed, to be sent to our Senators and Representatives in the Congress of the United States; and also a similar copy to the President of the United States; and a similar copy to the Governor of each of the States lately composing the United States of America.

The President announced the following "Standing Committees," to-wit:

Committee on the Relations with the Slave-holding States of North America:

Messrs. Benning,
Poullain,
Alexander of Upson,
Hawkins,
Wofford,
Lamar of Bibb,
Langmade,
Styles,
Stephens of Monroe,
Spencer,
McDaniel,
Means,
Cannon of Wayne.

Committee on Foreign Relations:

Messrs. Toombs,
Stephens of Taliaferro,
Colquitt,
Hull,
Johnson of Jefferson,
Poe,
Briscoe,
Fleming,
Warner,
Hansell,
Douglass,
Chastain,
Davis of Putnam.

Committee on Commercial and Postal Arrangements.

Messrs. Anderson,
Harris of Glynn,
Bell of Forsyth,
Bailey,
Hudson of Harris,
Alexander of Fulton,
French,
Hood,
Calhoun,
Shropshire of Floyd,
Dabney,
Sims,
Casey.

Committee on Military Affairs:

Messrs. Bartow,
Tidwell,
Brown of Marion,
Bryan,
Robertson,
Montgomery,
Giles,

Messrs. Saffold,
Burch,
Smith of Talbot,
Strickland,
Rutherford,
Martin of Elbert.

Committee on the Constitution of the State, and Constitution and Laws of the United States:

Messrs. Cobb,
Clarke.
Stephens of Hancock,
Ramsey of Muscogee,
Crawford of Green,
Hill of Troup,
Glenn of Fulton,
Reese,
Trippe,
Fouche,
Kenan,
Rice,
Lamar of Lincoln,

Leave of absence was granted to Mr. Styles of Ware, on account of important business, and to Mr. Usry on account of sickness in his family.

On motion of Mr. Chastain, the Convention then adjourned till 10 o'clock to-morrow morning.

TUESDAY, JANUARY 22, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Adams.

A quorum being present, the journal of yesterday was read.

Mr. Varnadoe's resolution, relative to officers in the Army and Navy of the United States, (citizens of Georgia who will resign and return to their native State) was taken up and referred to the Committee on Military Affairs.

Mr. Alexander's (of Upson) resolutions relative to a reconstruction of the late "Federal Union" was taken up, and referred to the Committee on Foreign Relations.

The Ordinance laid upon the table on yesterday, introduced by Mr. Fleming, "to prescribe the mode in which the acts, records, and judicial proceedings in each of the States lately composing the Union known as the 'United States of America,'" and for other purposes, was taken up and referred to the Committee on the Constitution of the State, and the Constitution and Laws of the United States.

The resolution of Mr. Shropshire of Floyd, to appoint a Committee whose duty it shall be to inquire into the power of this Convention to reduce the number of Senators and Representatives in the General Assembly, and if so, to report an Ordinance thereon, was taken up.

On motion, the blank in the resolution was filled with the word "*sixteen.*"

The resolution was then adopted.

The second of a series of resolutions introduced by Mr. Cobb on yesterday, requesting the Committee on Foreign Relations, to consider and report upon the propriety of requesting those slaveholding States which shall not have seceded by the 4th day of February next, to appoint Commissioners to represent said States at the Congress of the seceding States to be held at Montgomery on that day, was taken up and referred to that Committee.

Mr. Varnadoe's resolution relative to the employment of small armed steamers to ply along the sea-coast, to prevent depredations of piratical or marauding parties, was taken up and referred to the Committee on Military Affairs.

Mr. Chastain's resolution relative to the assumption of debts to become due to carriers of mails from and after the passage of the Ordinance of secession, was taken up and referred to the Committee on Commercial and Postal Arrangements.

Mr. Simmons of Gwinnett, laid on the table the following *quasi* protest, which was taken up, read, and ordered to be spread upon the journal:

"We, the undersigned delegates to the Convention of the State of Georgia, now in session, while we most solemnly protest against the action of the majority in adopting an Ordinance for the immediate and separate secession of this State, and would have preferred the policy of co-operation with our Southern sister States, yet as good citizens, we yield to the will of a majority of her people as expressed by their representatives, and we hereby pledge "our lives, our fortunes, and our sacred honor," to the defence of Georgia, if necessary, against hostile invasion from any source whatever.

Milledgeville, Ga., January 22d, 1861.

JAMES P. SIMMONS, of Gwinnett,
THOMAS M. McRAE, of Montgomery,
F. H. LATIMER, "
DAVIS WHELCHEL, of Hall,
P. M. BYRD, "
JAMES SIMMONS, of Pickens."

Mr. Garvin offered the following Ordinance, which was taken up, read, and referred to the Committee on the Constitution of the State, and the Constitution and Laws of the United States, to-wit:

AN ORDINANCE:

"The people of Georgia in Convention assembled, do hereby ordain that all white persons residing within the limits of this State at the date of the Ordinance of secession, are hereby constituted citizens of the State, without regard to place of birth, or length of residence."

Mr. Bartow laid upon the table a communication from the Post Master at Savannah, which on his motion, was taken up, read, and on motion of Mr. Chastain, was referred to the Committee on Commercial and Postal Arrangements.

Mr. Styles of Ware, offered the following resolution, which on his motion, was referred to the Committee on the Constitution of the State, and the Constitution and laws of the United States:

Resolved, That it be referred to the Committee on the Constitution to enquire and report on the expediency of appointing forthwith a council to consist of citizens of this State, to act with the Governor of the State as his counsellors and advisers, and to be called "a Council of Safety."

Mr. Cobb, from the Committee on the Constitution of the State, and the Constitution and Laws of the United States, reported the following Ordinance:

AN ORDINANCE

To provide for the execution of sentences passed by the Courts of the United States within the limits of the State of Georgia; and for the execution of process issued by the same Courts, and to preserve indictments:

The people of Georgia, through their Delegates in Convention assembled do hereby declare and ordain, That all persons now confined in the Penitentiary of this State, under sentence upon conviction for crime, by any Court of the late United States, for the Districts of Georgia, shall continue in such imprisonment until the full execution of such sentences shall have been accomplished in the same manner as if the Ordinance of Secession had not been passed.

And it is further declared and ordained by the authority aforesaid, That all persons now arrested or confined in the jails of this State, under process from the said Courts of the late United States shall not be released or discharged by reason of the said Ordinance, but shall continue under the said arrest or imprisonment until discharged by due process of law. And all persons who shall have heretofore given bail to answer to any warrant or other process from said Courts, shall not be released from the obligation of such bonds, but shall be (with their sureties) bound to appear and answer to such Courts of this State, as may be directed by this Convention.

And be it further ordained and declared, That all indictments heretofore found true in the said Courts, and not hitherto disposed of, shall continue in full force and virtue until heard and determined by the Courts to which jurisdiction thereof may be transferred. And all process or warrant, or other criminal proceeding issuing out of, or

returnable to the said Courts, shall lose no virtue by reason of the said act of secession, but shall be returnable to, and executed in the name of the Court to which jurisdiction may be given by this Convention.

The report was taken up, and the Ordinance read twice and passed.

From the same Committee, Mr. Cobb also reported the following Ordinance, which was taken up and read:

AN ORDINANCE

To declare, and continue in force in this State, sundry laws of the late United States of America, in reference to the African slave trade.

The people of Georgia, in Convention assembled, do hereby declare and ordain, That all the laws passed by the Congress of the late United States of America, and in force in this State prior to the 19th day of January, 1861, except the fifth section of the act of 10th May, 1800, be, and the same is hereby declared to be in full force in this State; *Provided*, the same shall not be construed to extend to the importation of negro slaves from any one of the slaveholding States of the late United States of America, or from either of the Independent Republics of South Carolina, Alabama, Florida, or Mississippi.

Be it further ordained and declared, That the Governor of Georgia shall discharge all the duties required by said laws of the President of the United States, and the Attorney or Solicitor General of the Judicial District where the case arises, shall discharge all the duties required of the District Attorney, and the Sheriff of the county all the duties required of the Marshal.

Be it further ordained, That the State of Georgia shall be substituted for the United States, in every portion of said laws where the substitution is required by the present independent condition of said State.

On motion of Mr. Hansell, the Ordinance was made the special order of the day to-morrow, and 500 copies of the same were ordered to be printed.

Mr. Toombs, from the Committee on Foreign Relations made the following report:

"That the Committee, in accordance with the resolution adopted on yesterday, have nominated W. J. Vason, Esq., of Richmond county, as the Commissioner from Georgia to the State of Louisiana, and General J. W. A. Sanford, of Baldwin county, as the Commissioner from Georgia to the State of Texas."

The report was taken up and the nominations ratified.

Whereupon the President was requested to issue commissions to said Commissioners.

Mr. Carswell offered the following resolution, which was taken up and adopted:

Resolved, That a Committee of five on Printing, be appointed by the President; also, a Committee of five on Enrolling, and a Committee of five on Accounts.

Whereupon the President announced as the Committee on Printing:

Messrs. Munnerlyn,
Hammond,
Harris of Hancock,
Price,
Porter.

Committee on Enrollment:

Messrs. Fort of Wayne,
Briscoe,
Moor of Spalding,
Furlow,
Johnson of Hall,

Committee on Accounts:

Messrs. Carswell,
Adams of Putnam,
McDonald,
Gresham,
McConnell of Catoosa.

On motion of Mr. Anderson, the Convention then adjourned till 10 o'clock, to-morrow morning.

WEDNESDAY, JANUARY 23, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Flinn.

A quorum being present, the Journal of yesterday was read.

The President then announced the following as the Committee of sixteen, under the Resolution adopted on yesterday to inquire into the power of this Convention to reduce the number of Senators and Representatives in the General Assembly of Georgia, and if so, to report an Ordinance for the same, to-wit:

Messrs. Shropshire of Floyd,
Dabney,
Varnadoe,
Spencer,
Ramsey of Muscogee,
Mallary,
Bailey,
Phinizy of Monroe,
Beall of Troup,
Smith of DeKalb,
Knox,
Simmons of Gwinnett,
Reynolds,
Turner of Hancock,
Garvin,
Gresham.

Mr. Toombs, from the Committee on Foreign Relations, reported that said Committee have had under consideration the subject of a Congress of the States, which have withdrawn from the government of the United States of America, proposed to be held at Montgomery, in the State of Alabama, on the 4th day of February next, and recommend the adoption of the following Resolutions, which were taken up and read:

Resolved, That this Convention will to-morrow at 12 o'clock elect ten Delegates, to represent the State of Georgia in said Congress, with such powers as the Convention

may hereafter confer upon them, and that a majority of all the votes cast shall be necessary to a choice; *Provided*, That two Delegates shall be chosen for the State at large, and one from each Congressional District in this State.

2nd, *Resolved*, That the Committee on Foreign Relations do prepare instructions for said Representatives, to be submitted to this Convention.

The first Resolution was then put upon its passage, when Mr. Stephens of Hancock moved to strike out the word "to-morrow," and insert "to-day."

The motion was lost and the Resolution was then adopted.

On motion of Mr. Toombs, the second Resolution was also adopted.

Mr. Toombs, from the same Committee, also reported the following Resolutions, which were taken up, read and adopted:

1st, *Resolved*, That this Convention cordially unite in the invitation extended by the Convention of the Republic of Alabama, to those of the slaveholding States which may not have withdrawn from the government of the United States of America by that time, to send Commissioners to represent them at a Congress of the States which have withdrawn, to be held at Montgomery, Alabama, on the 4th day of February next.

2nd, *Be it further Resolved*, That the President of this Convention do send a certified copy of this Resolution to the Governors of the States of Delaware, Maryland, Virginia, North Carolina, Kentucky, Tennessee, Missouri, Arkansas, Louisiana, and Texas, with the request that they lay them before the Legislatures or Conventions of their respective States.

Mr. Warner laid upon the table the following Ordinance, which was taken up, read, and referred to the Committee on the Constitution of the State, and the Constitution and Laws of the United States.

Be it Ordained, by the People of Georgia, in Convention assembled, That the following words shall be added to the

5th Section of the 4th Article of the Constitution of the State of Georgia, to-wit: "And that no Law, or Ordinance, shall be passed, impairing the obligation of contracts, nor shall private property be taken for public use without just compensation."

Be it further Ordained, by the authority aforesaid, That the following sections shall be added to the Constitution of the State of Georgia, and become part thereof, to-wit: "Full faith and credit shall be given in this State to the public acts, records, and judicial proceedings of any other State, heretofore known and recognized as the United States of America, and shall be received in evidence in the Courts in this State, under the same rules and regulations as prescribed by the Acts of Congress of the late United States, passed the 26th day of May, 1790, and the 27th March, 1804."

Be it further Ordained, by the authority aforesaid, That all judgments, sentences, and decrees, heretofore made and rendered by the Federal Courts within the State of Georgia, shall remain operative, and in full force, as well as all laws heretofore enacted by the said Federal Congress which may be beneficial and applicable to the wants, interests, and present condition, of the people of Georgia, until otherwise altered or repealed by the General Assembly of this State.

Mr. Hill, of Troup, laid upon the table the following Ordinance, which was taken up, read, and on his motion referred to the Committee having matter germain to the subjects before them:

AN ORDINANCE

To continue in force the Laws, and to preserve the order, peace, and conveniences of the people of Georgia, until otherwise provided:

Whereas, The State of Georgia has seceded from the Federal Union; and whereas, we deem the right, and therefore desire the act, of secession, to be peaceable, and said act shall be peaceable unless otherwise ordered by the Federal Government:

Therefore, be it Ordained, by the People of Georgia, in Convention assembled, and it is hereby Ordained by the authority of the same:

SECTION 1st. That until otherwise provided, all laws and regulations of the Government of the United States, not inconsistent with the Ordinance of secession, and which are applicable to the condition and wants of the people of this State, and necessary to preserve undisturbed the rights of non-residents acquired and vested prior to the passage of the Ordinance of secession, be, and the same are hereby continued in full force, and of binding obligation, upon the authorities and people of the State of Georgia.

SEC. 2nd. *Be it further Ordained, by the authority aforesaid,* That collectors of customs, and all other officers connected with the revenue service, and all other officers connected with the Post Office Department in this State, and all mail carriers, mail contractors, and mail agents, be, and they are hereby allowed to continue to perform their functions of office in this State under the laws, and accountable to the government of the United States, as heretofore.

SEC. 3rd. *Be it further Ordained,* That the Courts and officers thereof of the United States within the State of Georgia, be, and they are hereby authorized to continue in the discharge of their respective duties until otherwise provided by this Convention, or the Convention of the seceding States.

SEC. 4th. *Be it further Ordained, by the authority aforesaid,* That until otherwise ordered, the State of Georgia will, in good faith, observe and keep all treaties and contract obligations made and entered into by the General Government while Georgia was a member thereof, as far as the same are applicable to, or require duties of, the State of Georgia.

Mr. Benning, from the Committee on the Relations with the slaveholding States of North America, made the following

REPORT:

"That they have had under consideration the subject of sending Commissioners to the slaveholding States, and have

instructed him to report the following Resolution, and do recommend its adoption by the Convention:

"*Resolved*, That this Convention appoint a Commissioner from the State of Georgia to each of the States of Delaware, Maryland, Virginia, Tennessee, North Carolina, Kentucky, Missouri, and Arkansas, to present to the Legislatures or Conventions, or in the event neither shall be in session, to the Governor of those States, the Ordinance of Secession of Georgia, and to invite the co-operation with her and other Seceding States, in the formation of a Southern Confederacy."

The report was taken up and read.

Mr. Benning, from the same Committee, made the following

REPORT:

"That they have had the subject of the inter-State Slave Trade under consideration, and they have instructed him to report the following Ordinance, and recommend its adoption, to-wit:

AN ORDINANCE

In relation to the inter-State Slave Trade.

Be it Ordained by the People of Georgia, in Convention assembled, and it is hereby Ordained by the authority of the same,

That all laws relating to the inter-State Slave Trade, which were in force at the time of the passage of the Ordinance of Secession, shall be deemed and held to be still in force.

The Report and Ordinance were taken up and read.

SPECIAL ORDER.

The special order of the day, which was the Ordinance to declare in force in this State sundry laws of the late United States of America, in reference to the African Slave Trade, was taken up.

Mr. Cobb moved to recommit the same to the Committee

on the Constitution of the State and the Constitution and Laws of the United States.

Which motion prevailed.

Mr. Cobb, from said Committee, then reported back the Ordinance with the following amendments:

To the first section, by adding to the exception, the following:

"And also so much of the Act of 10th May, 1820, as declares the offenses therein specified to be Piracy, and in lieu of the penalty of death therein specified, there shall be substituted imprisonment in the Penitentiary for a term of years not less than five, nor exceeding twenty, in the discretion of the Court."

And also by adding to the first section the following words:

"*Provided, further*, The slaves so introduced from the slaveholding States of North America shall not have been imported from beyond sea into such State since the 20th day of December, 1860."

The amendments were received, and the Ordinance, as amended, having been twice read, was unanimously adopted:

Mr. Cobb, from the Committee on the Constitution of the State and the Constitution and Laws of the United States, reported the following Ordinance, which was read, and 500 copies of the same ordered to be printed:

AN ORDINANCE

To resume jurisdiction over those places within the limits of Georgia, over which jurisdiction has been heretofore ceded to the late United States of America—and to provide for compensation to the said United States for the improvements erected thereon.

The People of Georgia, in Convention assembled, do hereby declare and Ordain,

That the cessions heretofore made by the General Assembly of this State, granting jurisdiction to the late United States of America over specified portions of the territory within the present limits of the State of Georgia

be, and the same are hereby revoked and withdrawn, and that full jurisdiction and sovereignty over the same are hereby resumed by the said State.

Be it further Ordained, That the buildings, machinery, fortifications, or other improvements, erected on the land so heretofore ceded to the said United States, or other property found therein, shall be held by this State. subject to be accounted for in any future adjustment of the claims between this State and the said United States.

Mr. Johnson, of Clayton, offered the following resolution, which was read:

"*Resolved*, That twenty-five thousand copies of the ordinance of secession be printed for the use of the Convention, together with the delegates names and county which they represent, in their order as appears on the parchment; also, the names of those delegates and the counties they represent who refused to sign the ordinance."

Mr. Johnson, of Clayton, moved to take up the resolution, which motion did not prevail.

Leave of absence was granted to Mr. Burnett of Clay, on account sickness.

Mr. Styles offered the following resolution, which was read, taken up and adopted:

"*Resolved*, That the State Treasurer be instructed to make advances of *mileage* and *per diem* pay to delegates, of the amount due."

On motion of Mr. Hill, of Harris, the Convention then adjourned till ten o'clock to-morrow morning.

THURSDAY, JANUARY, 24, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Flinn.

A quorum being present, the journal was read.

On motion of Mr. Cochran of Wilkinson, his preamble and resolutions, relative to the payment of Georgia's *pro rata* part of the public debt of the late United States, and to demand her proportionate part of the public property, was taken up, read, and referred to the "Committee on Foreign Relations."

Mr. Hill, of Troup, moved to add Mr. Cochran, to the "Committee on Foreign Relations."

Which motion prevailed.

On motion of Mr. Cannon, of Wayne, leave of absence was granted to Mr. Bozeman, of Pulaski, on account of indisposition; and on motion of Mr. Cobb, leave of absence was granted to Mr. Winn, of Gwinnett, on account of sickness in his family.

Mr. Anderson, from the "Committee on Commercial and Postal Arrangements," reported the following ordinance, which was read, and on motion of Mr. Shropshire, of Floyd, 300 copies were ordered to be printed.

AN ORDINANCE

To make Provisional Postal Arrangements in Georgia.

Whereas, it is desirable that there should be no disturbance in the present postal arrangements in this and other States.

Therefore, be it ordained, and it is hereby ordained and declared by the people of Georgia, in Convention assembled,

That the existing postal contracts and arrangements shall be continued, and the persons, charged with the duties thereof, shall continue to discharge said duties until a postal treaty shall be concluded, or until otherwise directed.

Be it further ordained by the authority aforesaid, That in case the Government of the United States, or its officers or agents, shall fail or refuse to execute said contracts, or carry on said arrangements, it shall be the duty of the Governor of this State, to make all contracts and appoint all officers, which may be necessary to keep sufficient mail facilties to meet the wants of the people of Georgia, until otherwise ordered by the proper authorities.

The resolution accompanying the report of Mr. Benning from the Committee on the Relations with the Slave-holding States of North America, relative to the appointment of a Commissioner to each of the States of Delaware, Maryland, Virginia, Tennessee, North Carolina, Kentucky, Missouri, and Arkansas, was taken up, read, and adopted.

The report of Mr. Benning, from the same committee, being an ordinance in relation to the enter-State slave trade, was taken up and read; and having been twice read was adopted.

Mr. Alexander, of Upson, offered the following resolution, which taken up, read, and agreed to:

Resolved, That a committee of five be appointed by the President of this Convention, to examine the Great Seal of the State of Georgia, and report whether any, and what, changes in the same have been rendered necessary by the withdrawal of this State from the late Federal Union.

The following is the committee announced by the President, under the foregoing resolution:

Messrs. Alexander, of Upson,
Logan,
Glover,
Glenn, of Oglethorpe,
Phinizy, of Richmond.

On motion of Mr. Burch, leave of absence was granted to Mr. Phinizy, of Richmond, from Friday till Monday next.

On motion of Mr. Bartow, the door of the gallery was closed, and the Convention went into secret session.

After which the door was opened, and in accordance with the resolution of Mr. Toombs, adopted on yesterday, the hour of 12 o'clock M. having arrived, the Convention proceeded to elect ten delegates to represent the State of Georgia, in the proposed Congress to be held at Montgomery, in the State of Alabama, on the 4th of February next, to-wit: two from the State at large, and one from each Congressional District in the State.

The result of which, was that ROBERT TOOMBS, of the county of Wilkes, and HOWELL COBB, of the county of Clarke, were duly elected for the State at large, and the following named persons for the several districts affixed to their names to-wit:

FRANCIS S. BARTOW,	for the	1st	Congressional	District.
MARTIN J. CRAWFORD,	"	2d.	"	"
EUGENIUS A. NISBET,	"	3d.	"	"
BENJAMIN H. HILL,	"	4th.	"	"
AUGUSTUS R. WRIGHT,	"	5th.	"	"
THOMAS R. R. COBB,	"	6th.	"	"
AUGUSTUS H. KENAN,	"	7th.	"	"
ALEXANDER H. STEPHENS.	"	8th.	"	"

Leave of absence was granted to Mr. Dennis for a few days; also to Messrs. McDonald, of Ware, Gray, Jordan, Briggs, and Mitchell.

Mr. Singleton laid upon the table the following ordinance, which was referred to the Committeee on Military Affairs:

AN ORDINANCE

To organize a mounted military police in each of the several counties of this State, and for other purposes.

Whereas, war may be one of the consequences of secession, and whereas, the recent outrage upon the State of Virginia, admonishes us that in the event of such war, attempts will be made to incite our slaves to insurrection, and whereas, the vicious and unprincipled, during the absence of many of the true men from their respective counties in the defence of the State, may be disposed to seize upon such opportunity, to commit wrongs and outrages upon the then defenceless wives and children of the absent, as well as upon other good people of the State for remedy thereof:

SECTION 1st. *Be it ordained by this Convention of the people of the State of Georgia assembled, and it is hereby ordained by the authority of the same*,

That it shall be the duty of his Excellency the Governor, to accept the services of one Company, consisting of not

more than fifty nor less than fifteen mounted men, from each of the several counties of this State, to act as a mounted military police for their several counties, as hereinafter declared.

SEC. 2d. *And be it further ordained*, That each of said companies shall be like officered as other Cavalry companies, and commissions shall be issued to their officers by the Governor, commissioning them as officers of the Mounted Military Police, of their respective counties.

SEC. 3d. *And be it further ordained*, That said mounted military police, shall constitute a distinct and independent arm of the military of the State, not subject to the orders of any officer of any army having authority in this State, nor of any officer of militia thereof.

SEC. 4th. *And be it further ordained*, That his Excellency the Governor, shall furnish to this mounted military police from time to time, such arms as he may deem appropriate to their peculiar service, and as can be spared for that purpose.

SEC. 5th. *And be it further ordained*, That the head-quarters of each of said companies, shall be at the county sites of their respective counties whenever they shall be regularly mustered into service.

SEC. 6th. *And be it further ordained*, That a majority of the Justices of the Inferior Court of each county, shall have power to call into actual service, the said police of their respective counties, and to discharge them whenever the said Justices may deem proper, subject however to be again called into service by said Justices; and said Justices are hereby further empowered to pass orders from time to time requiring the commanding officer of their said company, to either increase or dimish the rank and file of his company to any number within the limits heretofore prescribed.

SEC. 7th. *And be it further ordained*, That when any company of the mounted military police, shall be mustered into service, it shall be the duty of the officer in command of the same, to at all times retain at least one-fourth of his command at his head-quarters, unless from good and sufficient

reasons, to be judged of by him, he shall order them temporarily to occupy some other position, or to the performance of some other duty. He shall also cause the entire county to be patroled by detachments of his command, under charge of proper officers.

SEC. 8th. *And be it further ordained*, That the pay, rations and allowances of the mounted military police while on active duty, and only while on such duty shall be the same as the Cavalry of the army. But, be it remembered always, that each officer and private of said companies, shall furnish their own horse and be allowed the rate of dollars per month, for the hire of the same.

SEC. 9th. *And be it further ordained*, That all persons enlisting as privates in any of said companies, be bound to serve for one year from time of enlistment, unless sooner discharged by the officer in command, and be bound by all the rules of war, unless herein otherwise provided, while in actual service; and at all times during their enlistment be exempt from all road and jury duty.

The Convention then adjourned till eleven o'clock tomorrow morning.

FRIDAY, JANUARY 25, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Adams.

A quorum being present, the journal of yesterday was read.

Whereupon the President laid upon the table a communication from the State of Mississippi, with accompanying documents accrediting the Hon. T. W. White, of that State, as a Commissioner to Georgia, for purposes therein specified—

Which was taken up and read.

On motion of Mr. Stephens, of Taliaferro, the following resolution was adopted:

Resolved, That all the papers accompanying the commissioner from the State of Mississippi, as well as those with the commissioners from the States of South Carolina and Alabama, be printed as an appendix to the journal of the proceedings of this Convention.

Mr. Alexander, of Upson, laid upon the table the following resolutions:

Whereas, The Hon. Thomas W. White, the Commissioner from the State of Mississippi, has arrived in this city; be it therefore

1st. *Resolved*, That the Hon. Thomas W. White be, and and he is hereby invited to a seat on the floor of this Convention.

2d, *Resolved*, That a committee of three be appointed by the President to wait on Mr. White and ascertain at what hour and in what form it will be agreeable to him to communicate with this Convention.

The resolutions were taken up, read and adopted.

Whereupon the President announced the following as the committee under the foregoing resolutions, to wit:

Messrs. Alexander of Upson,
Reynolds, and
Simmons of Pickens.

The President laid on the table a communication from the Legislature of the State of Tennessee, which was read and, on motion of Mr. Glenn of Fulton, laid on the table for the present.

Mr. Whitehead offered the following resolution, which was read:

"*Resolved*, That when this Convention adjourns on Tuesday next, the 29th instant, it adjourns to meet in Savannah at the call of the President."

Mr. Benning, from the committee on the "Relations of the Slaveholding States of North America," made the following report:

"That he is instructed by that committee to report the following resolution, and to recommend its adoption by the Convention:

Resolved, That in the opinion of this Convention no State ought to be admitted into the new confederacy to be formed at Montgomery, unless such State shall tolerate the existence of slavery as one of its own domestic institutions, and shall permit an inter-state traffic in slaves with its citizens, and that should any State at any time abolish the institution within its limits, such State shall *ipso facto* cease to be a member of the said Confederacy."

The report was taken up and read.

Mr. Anderson, from the committee on "Commercial and Postal Arrangements," reported the following preamble and resolutions:

Whereas, The policy of direct trade between the States of the South and foreign nations assumes more than ordinary importance in view of the relations which the seceding States must bear to the world,

Therefore be it resolved, That this Convention is forcibly impressed with the necessity to the future welfare and honor of the South, of direct trade with European nations from some port or ports upon the Atlantic coast at the South, under the dominion of the Southern Confederacy.

Resolved, That our members to the Southern Congress to be held at Montgomery, are hereby earnestly requested to bring this subject forward at an early day before that assembly, and to urge the adoption of efficient measures to accomplish this great measure of Southern independence.

The resolutions were taken up, read, and 300 copies ordered to be printed.

Mr. Nisbet offered the following resolution, which was taken up and read, to wit:

"*Resolved*, That in pursuance of a resolution of this body authorizing the appointment of Commissioners to the slaveholding States, the committee on Foreign Relations be, and they are hereby instructed to nominate to the Convention suitable persons to act as Commissioners aforesaid, at 12 o'clock to-morrow, and that, at that hour, the Convention proceed to elect the same."

Mr. Hood, of Randolph, offered the following as a substitute for the same:

"*Resolved*, That the committee on the Relations with the Slaveholding States be instructed to suggest to the Convention the names of fit and proper persons to represent the State of Georgia as Commissioners under the resolution heretofore adopted to the States of Delaware, Maryland, Virginia, North Carolina, Tennessee, Kentucky, Missouri, and Arkansas."

Mr. Kenan moved to strike out "*Delaware*."

When, on motion, the resolution and substitute was laid on the table for the present.

Mr. Cobb, from the committee on the Constitution and laws of the State, and the Constitution and laws of the United States, made the following reports:

First.

AN ORDINANCE

To abolish the Circuit and District Courts of the United States for the District of Georgia, and to establish other Courts in lieu thereof, and to continue in force certain judgments and executions.

The people of Georgia in Convention assembled hereby declare and ordain,

That the Circuit and District Courts of the late United States for the State of Georgia, be, and the same are hereby abolished as Courts of the said United States. And the same are hereby re-established as Courts of the independent State of Georgia, with the same jurisdiction and powers as they had under the laws of the United States, except so far as the same are modified by the ordinances of this Convention.

2. That the commissions of all the judges and officers of said courts are hereby terminated. And the Governor of this State is hereby authorized to appoint and commission judges and officers of said courts, to hold their commissions until the further action of this Convention.

3. The causes now pending in said courts, civil and

criminal, are continued without prejudice in the courts hereby established, and the judgments and decrees heretofore rendered therein, and the executious issued thereon shall lose no right, lien, or validity by the operation of this ordinance, or the ordinance of secession, but shall continue in force as if the said courts remained in existence.

Second.

AN ORDINANCE

To adopt and continue in force the laws of the late United States, in the State of Georgia, except as therein specified.

The people of Georgia in Convention assembled do declare and ordain as follows:

SECTION 1. That such and so much of the laws of the late United States, as are not inconsistent with the ordinance of secession, and the other ordinances of this Convention, and as are applicable and adapted to our present condition and necessities, be and the same are hereby adopted and continued in force in this State—saving and excepting, however, the laws on the subjects following, to wit: The Army; Bounty Lands; Cadets; Census; Coasting Trade; Treason; Fisheries; Lands; the Navy; Pensions; Printing; Public Money; Timber; Treasury Department; and the War Department.

SEC. 2. That in all cases in which remedies are provided in civil cases, or punishments are prescribed in criminal cases, both by the laws of the said United States and by the existing laws of this State, then and in all such cases the laws of this State shall take precedence to, and be administered before the said laws of the United States.

Third.

AN ORDINANCE

To define and declare what shall be Treason and Misprision of Treason in the State of Georgia and also certain felonies.

The people of Georgia in Convention assembled do hereby declare and ordain,

That if any person or persons owing allegiance to the State of Georgia shall levy war against said State, or shall

adhere to her enemies, giving them aid and comfort within the said State or elsewhere, or shall in the name of the late United States of America, or any other foreign power, seize or attempt to seize and hold possession against the declared will of said State, of any fort, arsenal, mint or other building within the territorial limits of said State, and shall be thereof convicted on confession in open court, or on the testimony of two witnesses to the same overt act of the treason whereof he or they shall stand indicted, such person or persons shall be adjudged guilty of treason against the State of Georgia, and shall suffer death.

A person having knowledge of the commission of any of the treasonable acts aforesaid, and conceals or fails to discover the same as may be to the Governor of said State, or some one of the Judges thereof, shall be guilty of Misprision of Treason, and on conviction shall be punished by imprisonment and labor in the Penitentiary not less than five nor longer than years.

Any citizen of the State of Georgia, wherever resident, who shall, without the permission of said State, directly or indirectly commence or carry on any verbal or written correspondence or intercourse with any foreign government, or any officer or agent thereof, with an intent to influence the measures or conduct of such government, adversely to the existence or interest of said State in relation to any disputes or controversies with said State, or to defeat the measures of the government of said State; or if any such person not duly authorized shall counsel, advise, aid, or assist in any such correspondence, such citizen of Georgia shall be guilty of a felony, and on conviction shall be punished by imprisonment in the Penitentiary not less than one nor more than three years, and by a fine not exceeding five thousand dollars.

Fourth.

AN ORDINANCE

In relation to oaths heretofore required of public officers and Attorneys at Law.

The people of Georgia in Convention assembled declare and ordain,

That the oath heretofore required to be administered to

public officers and Attorneys and Solicitors at Law, to support the Constitution of the United States shall be hereafter discontinued.

Fifth.

AN ORDINANCE

Concerning Citizenship.

We, the People of the State of Georgia, in Convention assembled, do declare and ordain, and it is hereby declared and ordained.

1st. Every person, who at the date of the Ordinance of Secession was residing in this State, and was then by birth, residence or naturalization, a citizen of this State, shall continue a citizen of this State, unless a foreign residence shall be established by such person, with the intention of expatriation.

2d. So also shall continue every free white person, who after the date aforesaid, may be born within the territory of this State, or may be born outside of that territory, of a father who then was a citizen of this State.

3d. So also every person, a citizen of any one of the States now confederate, under the name of the United States of America, who within twelve months after the date of the Ordinance of Secession, shall come to reside in this State, with the intention of remaining, upon such persons taking the oath of allegiance to this State, below provided.

4th. So also every free white person, who shall be engaged in the actual service, military or naval, of the State, and shall take an oath of his intention to continue in such service for at least three months, unless sooner discharged honorably, and also the oath of allegiance below prescribed. In this case, the oaths shall be administered by some commissioned officer of the service in which the applicant for citizenship may be engaged, superior in rank to the applicant, and thereupon certificate of the citizenship of the applicant, shall be signed by the officer and delivered to the applicant.

5th. So also, every person not a citizen of any of the States above mentioned, at the date aforesaid, who may come to reside in this State, with the intention of remaining, and may be naturalized according to the naturalization laws of this State; until they may be altered or repealed, the naturalization laws of the United States accommodated to the special condition of the State, are hereby made the laws of this State, except that instead of the oaths required by those laws in the final act, the oath of allegiance to this State, and of abjuration below provided, shall be taken.

6th. In all cases, the citizenship of a man shall extend to his wife, present or future, whenever she shall have a residence in this State, and shall extend also, to each of his children, that under the age of eighteen years, may have a residence in the State; *provided*, That in no case, shall citizenship extend to any person, who is not a free white person.

7th. That the oath of allegiance to this State, shall be in the words, to-wit:

"I do swear (or affirm) that I will be faithful and true allegiance bear to the State of Georgia, so long as I may continue a citizen thereof."

8th. The oath of abjuration shall be in the following form, to-wit:

"I do swear (or affirm) that I do renounce and forever abjure, all allegiance and fidelity to every prince, potentate, or sovereignty whatever, except the State of Georgia."

On motion of Mr. Cobb, the fourth of the series of the foregoing ordinances was taken up, read twice, and passed, to-wit:

The "Ordinance in relation to oaths heretofore required of public officers and Attorneys at Law."

On motion of Mr. Wofford, 300 copies of the first, second, third, and fifth, of the foregoing ordinances, were ordered to be printed.

Mr. Poe offered the following resolution, which was taken up, read, and agreed to:

"*Resolved*, That his Excellency, the Governor, be requested to afford such facilities to the Secretary of this Convention, as will enable him to have taken, a photograph of the Ordinance of Secession, *provided* no expense accrue to the State therefor, and *provided, also*, that no risk be incurred, of the loss of, or damage be done to said ordinance, in taking said photograph."

Mr. Hull laid upon the table the following resolution, which was taken up, read, and adopted:

"*Resolved*, That our late Senators and Representatives in the Congress of the United States, be invited to seats upon the floor of this Convention."

Mr. Ramsey was excused from serving on the committee to take into consideration, and report upon the expediency of reducing the representation of the General Assembly of Georgia, and Mr. Robinson appointed in his place.

The Convention then went into secret session, and having spent some time therein, the doors were opened, when

Mr. Beall, of Troup, from the Committee on the Ordinance of Secession, offered the following resolution, which was taken up, read, and adopted:

"The committee to whom was entrusted the duty of preparing parchment, and engrossing the Ordinance of Secession, for the signature of the members of the Convention, called to their aid the services of Maj. H. J. G. Williams, who cheerfully and with some labor, engrossed the same to the full satisfaction of the committee, and refused all pecuniary compensation.

Be it therefore resolved, That Maj. H. J. G. Williams be allowed to sign his name under the attestation of the Clerk, in the manner following, namely:

Engrossed by H. J. G. WILLIAMS.

Mr. Johnson, of Clayton, offered the following resolution, which was taken up, read, and adopted:

"*Resolved*, That the Treasurer be authorized to pay the members of the Convention their mileage, and *per diem* pay upon their accounts being approved and signed by one of the auditing committee.

And be it further resolved, That the President of the Convention, when it adjourns, be required to draw his warrant upon the Treasurer for the pay of its members and officers, in the same manner as has heretofore been done by the President of the Senate, and Speaker of the House of Representatives, of the Georgia Legislature."

On motion of Mr. Stephens, of Taliaferro, the following resolution was taken up, read, and adopted:

"*Resolved*, That the Governor be requested to have published in such newspapers as he may think proper, all the ordinances of this Convention as they pass, that immediate and general notice may be given of the same, unless otherwise directed by this Convention."

The President laid on the table a communication from T. S. Hopkins, M. D. of Wayne county, with accompanying papers, contesting the seat of Mr. Cannon, of that county, in the Convention.

On motion of Mr. Fort, a committee on elections was announced by the Chair, and the communication with the accompanying papers were referred to the same.

The following is the Committee on Elections:

Messrs. Styles,
Roddey,
Butts,
Brown, of Houston, and
Gaulden.

Mr. Alexander, of Upson, from the committee appointed to wait upon the Hon. Thomas W. White, the Commissioner

from the State of Mississippi, made the following report, to-wit:

"That the committee have waited upon Mr. White, and informed him of the action of this Convention, inviting him to a seat upon the floor of the Convention, and expressing the readiness and desire of the Convention to receive him at such time as will be most agreeable to himself; and that he informed the committee that it would be agreeable to him to appear before and address the Convention at noon on Monday next."

Mr. Williamson offered the following resolution, which was read and referred to the Committee on Foreign Relations:

"*Resolved*, That the Committee on Foreign Relations be requested to report an ordinance, if in their judgment it be necessary, to secure to citizens of Georgia, who have obtained from the United States of America, a patent right for inventions, and citizens of Georgia, who have made application and placed in office a model for a patent, their rights in the same."

Mr. Cobb moved to take up the ordinance in reference to land heretofore ceded to the late United States of America.

The motion was agreed to, and the ordinance was taken up, read twice, and passed.

The report of Mr. Anderson, from the committee on Commercial and Postal Arragements, being an ordinance to make provisional Postal Arrangements in Georgia, was then taken up.

On motion, the same was recommitted, and reported back with the following amendments, to-wit: by striking out in the first section, the word "*continued*," and inserting the words "*allowed to continue;*" and by inserting in the second section, "*and do all other things*," after the word "*officers*."

The ordinance as amended, was read twice and passed.

Mr. Fort, from the Committee on Enrolment, made the following report:

"That they have had enrolled, and it is now ready for the signature of the President:

An Ordinance To provide for the execution of criminal process issuing from the Courts of the late United States of America."

Leave of absence was then granted to Messrs. Stephens of Monroe, Roddey, Logue, Davis of Putnam, Hansell, Humphries, Bryan, Cleveland, Furlow, Robertson, Perkins, Ponder, and Banks of Stewart.

The Convention then adjourned till ten o'clock to morrow morning.

SATURDAY, JANUARY 26, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Means.

A quorum being present the journal was read.

On motion of Mr. Bartow, the doors were closed, and the journal of yesterday, when in secret session was read.

After which the doors were opened, when

Mr. Nisbet offered the following resolution, his resolution and Mr. Hood's substitute, of yesterday, having been withdrawn:

Resolved, That the Committee on Foreign Relations be, and they are hereby instructed to nominate Commissioners to certain slaveholding States of the late American Union, in accordance with an Ordinance of this Convention, authorizing the appointment of such Commissioners; and that the Convention will, on Monday next, at eleven o'clock, proceed to the election of the same.

The resolution was taken up, read and adopted.

Mr. Cobb, from the Committee on the Constitution of the State, and the Constitution and Laws of the United States, to whom was referred a resolution inquiring into the propriety of appointing a Council of safety to advise

with, and assist the Governor of this State in the discharge of his Executive duties, made the following

REPORT:

"That they have had the same under consideration, and are satisfied that for the present, at least, such a Council is unnecessary and impolitic."

The Report was received and adopted.

Mr. Styles, from the Committee on Elections, made the following

REPORT:

"The Committee on Elections have had under consideration the subject of the protest from Wayne county, in relation to the seat now filled by the Hon. H. A. Cannon, and have instructed their Chairman to report that they find the election returns from Wayne county, in proper form, and duly certified by the superintendents of the election, and that the returns show that Hon. Henry R. Fort, and the Hon. Henry A. Cannon, received a majority of the votes admitted in the general count, and were declared duly elected by the Superintendants to seats in the Convention. They further find, however, that the ballots from one of the precincts were rejected by the Superintendants in the general count because of there being no oath or affidavit attached to, and returned with the polls by the managers at that precinct, and though it is represented by *ex parte* certificates that the polls of this rejected precinct would, if they had been counted, have shown a tie between the sitting delegates and Dr. F. S. Hopkins, the contestant, the evidence produced before the Committee fails to rebut the presumption that the Superintendants acted in strict accordance with the law governing elections in rejecting the returns from the disputed precinct. But whether the Committee be correct or not in this conclusion, the contestant has failed to pursue the prescribed rule laid down by the act of 1831, regulating the manner for contesting elections, and has therefore failed to bring his case before the Committee in such a manner as to justify them in considering the testimony adduced. In justice to the sitting member, your Committee have thought proper to state these facts,

and to state further, that upon investigation they ascertain the fact that he declined to serve the county under the circumstances, and only consented to claim his seat after being earnestly requested so to do by a large majority of all those who voted on the day of election.

Your Committee therefore recommend that the protest be laid upon the table, and that the Hon. Henry A. Cannon do retain his seat."

The report was taken up, read and unanimously agreed to.

Mr. Shropshire of Floyd, from the Committee to inquire into the power of this Convention to reduce the number of Senators and Representatives in the General Assembly of Georgia, and if, in the judgment of said Committee the power exists to report an Ordinance for that purpose, made the following

REPORT:

"Your Committee have had the subject under consideration, and while they do not doubt the power of this Convention to make such reduction, yet there is great diversity of opinion as to the propriety of doing so, without submitting the action of the Convention to the people for ratification or rejection. They have, however, agreed upon an Ordinance which they have instructed me to submit to this Convention, and recommend its adoption; each individual member of the Committee reserving to himself the privilege of voting for, or against any proposition which may be made, with a view to obtaining the popular will on this subject."

The report was taken up, and the Ordinance read, to-wit:

AN ORDINANCE

To alter and amend the 3d, 4th, 7th and 8th Sections of the 1st Article of the Constitution of the State of Georgia, and for other purposes.

Be it ordained by the people of Georgia in Convention assembled, and it is hereby ordained and declared by the authority of the same,

1. That from and after the adoption of this Ordinance,

the third section of the first Article of the Constitution of this State shall be so altered and amended as to read as follows, to-wit:

Each Congressional District in this State shall be known as a Senatorial District, by the same number which designates it as a Congressional District. The Senate of Georgia shall be composed of forty Senators and no more, five to be chosen from each District as they are now or may hereafter be organized, by the legally qualified voters thereof, on the first Wednesday in October, until the day of election is altered by law.

2. *Be it further ordained by the authority aforesaid*, That the fourth section of the first Article of the Constitution of Georgia shall be so altered and amended as to read as follows, to-wit:

No person shall be a Senator who shall not have attained the age of twenty-five years, and been five years a citizen of this State, and shall have usually resided within the District from which he shall be returned at least one year immediately preceding his election, except persons who may have been absent on lawful business of this State, or of any government of which Georgia may hereafter become a part.

3. *Be it further ordained*, That the seventh section of the first Article of the Constitution of this State, shall be so altered and amended as to read as follows, to-wit:

The House of Representatives shall be composed of one hundred and thirty-three members, and no more, one to be chosen biennially from each of the counties as now organized by the legally qualified voters thereof, on the first Wednesday in October, until the day of election is altered by law.

4. *Be it further ordained*, That the eighth section of the first Article of the Constitution of this State, be so altered and amended as to read as follows, to-wit:

No person shall be a Representative, who shall not have attained to the age of twenty-one years, and have been a citizen of the State of Georgia five years, and have actually resided in the county in which he shall be chosen one year immediately preceding his election, unless he shall

have been absent on the public business of this State, or of any government of which Georgia may hereafter become a part.

5. *Be it further ordained*, That the foregoing alterations and amendments shall not be so construed as to vacate the commission of any member of the present General Assembly of Georgia."

Mr. Mallary, from the same Committee, offered the following minority report, and moved its adoption by the Convention:

"The undersigned, from the Committee to reduce the number of members of the General Assembly, beg leave to dissent from the report of the majority of the Committee, to present our reasons therefor, and to present our plan for said reduction in lieu thereof. In the first place, we do not believe this Convention is clothed with the power to make said reduction; but being mindful of the necessity of such reduction, we think that if the plan adopted by this Convention is submitted to the people, and by them ratified, it will cure any want of power. In the second place, no plan should be adopted by this Convention which would not likely meet the approbation of the people, and we do not believe the people of this State would be content with any plan which did not secure to each county at least one representative, and a representation in the Senate, exceeding in number that of a mere *executive* or *municipal* council.

Therefore, we recommend, instead of the Ordinance reported by the majority, that this Convention instruct the Committee to prepare and report an amendment to the Constitution, to the effect that the first twenty counties having the highest representative population, according to the Federal basis, be entitled to *two* representatives, and all the counties to *one* each; and that the Senate consist of *eight* members from each Congressional District, as now, or hereafter to be organized, the qualifications of Senators and Representatives to be the same as the Constitution now prescribes, except that a Senator shall reside *one* year, in some *one* county of the District from which he is

elected—the whole not to take effect until ratified by the people. And we would also suggest, that as the Congress to assemble at Montgomery may have the power to abolish the district system, or to change the apportionment, this whole subject had better be postponed until the re-assembling of this Convention.

(Signed) CHARLES E. MALLARY."

Mr. Beall of Troup, offered the following as an amendment to the third section of the Ordinance reported by the majority, which was taken up and read:

"The House of Representatives shall consist of eighty-seven members, and no more, to be chosen biennially on the first Monday in October next, from the Congressional Districts as now organized by the State, by the legally qualified voters of said several Districts, namely, from the first Congressional District, fifteen members; from the second fourteen members; from the third eight members; from the fourth, eleven members; from the fifth, twelve members; from the sixth, eleven members; from the seventh, eight members; and from the eighth, eight members."

On motion of Mr. Cobb, the foregoing reports and amendment were laid on the table until after the proposed recess of this Convention, and, on motion of Mr. Johnson of Clayton, 500 copies of the same were ordered to be printed.

Mr. Hamilton laid on the table the following resolution, which was taken up, read, and agreed to:

Resolved, That the Committee on Foreign Relations be instructed to enquire and report whether any change should be made in the device on the coins hereafter to be made at the mint at Dahlonega, in the county of Lumpkin. Also, whether any change should be made in the management of said mint; and in the event they should be of opinion any change should be made, that they report to this Convention such changes as they may deem necessary."

Mr. Johnson's (of Clayton) resolution directing that 25,000 copies of the Ordinance of Secession, be printed, was

then taken up, when he offered the following as a substitute therefor:

Resolved, That twenty-five thousand copies be printed for the use of the Convention, of the resolutions offered by the Hon. E. A. Nisbet, delegate from the county of Bibb, declaring it to be the right and duty of Georgia to secede from the Union, and appointing a committee of seventeen to draw up the Ordinance for secession, &c., and the vote that was taken on said resolutions by yeas and nays. Also, the resolution offered by the Hon. H. V. Johnson, a delegate from the county of Jefferson, as a substitute to said resolutions, with the vote that was taken on the same by the yeas and nays. Also, the report of the Committee of seventeen, which reported the Ordinance for secession with the vote that was taken on the Ordinance, by the yeas and nays. Also, the names of each delegate and the county they represented, who signed said Ordinance in the order in which they stand, on parchment, and the names of each delegate and the county they represented, who refused to sign the same.

On motion of Mr. Strickland, the substitute and original resolution was laid on the table for the balance of the session.

Mr. Anderson, from the committee on Commercial and Postal Arrangements, reported the following ordinance, which was taken up, read, and made the special order of the day for Monday next; 300 copies of the same were ordered to be printed:

AN ORDINANCE

To make provisional arrangements for the continuance of commercial facilities in Georgia.

Whereas, It is due to the citizens of Georgia engaged in commerce and agriculture, and the citizens of foreign States engaged in lawful commerce with this State, that no sudden or abrupt change should be made.

Be it ordained by the people of Georgia in Convention assembled, and it is hereby ordained by the authority of the same,

That collectors of customs and other officers connected

with the same in the various ports of this State, be allowed to continue to perform their functions under existing laws, until otherwise ordered, or until the Congress about to assemble at Montgomery shall legislate on the same.

Be it further ordained by the power aforesaid, That should circumstances arise during the recess of this Convention to make it necessary in the opinion of the Governor to place the custom house under the control of the Government of this State, then the Governor shall be empowered to take possession of the same, appoint all officers and establish the revenue, collection and navigation laws of the United States, so far as they may be applicable until otherwise provided for.

The *first* ordinance reported on yesterday by Mr. Cobb, from the "Committee on the Constitution of the State and the Constitution and Laws of the United States," to wit:

"An ordinance to abolish the Circuit and District Courts of the United States for the District of Georgia, and to establish other courts in lieu thereof, and to continue in force certain judgments and executions"—was taken up and read.

On motion of Mr. Clarke, the same was recommitted for amendment.

Mr. Clarke then moved to amend the third section of the ordinance, by adding thereto the following words: "*But the stay law of the General Assembly of* 1860 *shall apply to the judgments and proceedings of said Court.*"

The amendment was received.

Mr. Clarke also offered the following as an amendment to the first section—to add the words:

"But in case any coercive measures are adopted by the present Federal Government, said Court, and all other Courts shall lose the jurisdiction of a cause in behalf of any citizen of a non-seceding States, to take effect by order of the Governor, and to continue until the action of the General Assembly."

The amendment was lost.

Mr. Hood offered the following amendment:

To strike out in the first section all after the words

"*United States*," where they occur the second time; to strike out the second section, and to strike out the following words in the third section, to wit: after the word "*criminal*," the words "*are continued without prejudice in the Courts hereby established.*"

Mr. Hill, of Troup, called for the "previous question," which being seconded, the ordinance, as amended, was put upon its passage, when Mr. Hood demanded that the yeas and nays be recorded.

There are yeas 204; nays 54, to wit:

Those who voted in the affirmative are Messrs.:

Adams of Camden,
Alexander of Fulton,
Alexander of Upson,
Algood,
Anderson,
Bartow,
Beasley,
Beck,
Beall of Forsyth,
Benning,
Black,
Bowen,
Brewton,
Briscoe,
Brown of Houston,
Brown of Marion,
Brown of Webster,
Buchanan,
Bullard,
Burch,
Bush,
Butts,
Byrd,
Calhoun,
Cannon of Rabun,
Carson,
Carswell,
Casey,
Cheshier,
Clark,
Cochran of Terrell,
Cochran of Wilkinson,
Cobb,
Cody,
Coleman,
Colquitt,
Corn,
Crawford of Greene,
Crawford of Richmond,
Dabney,
Daniel,
Davenport of Clay,
Davenport of Sumter,
Day,
Deupree,
Dewberry,
Dickerson,
Fain,
Farnsworth,
Fleming,
Flewellen,
Fields,
Fitzpatrick,
Ford,
Fort of Stewart,
Freeman,
Frier,
Gardner,
Garvin,
Glenn of Fulton,
Glenn of Oglethorpe,
Glover,
Giles,
Gordon,

Graham,
Gresham,
Gunn,
Hale,
Haines,
Hamilton,
Hargroves,
Harville,
Harris of Glynn,
Harris of Hancock,
Harvey,
Hendricks,
Hill of Harris,
Hill of Hart,
Hill of Troup,
Hilliard,
Hines,
Hudson of Gwinnett,
Hudson of Harris,
Huggins,
Hull,
Hust,
Jackson,
Jennings,
Johnson of Clayton,
Johnson of Hall,
Johnson of Oglethorpe,
Jones of Burke,
Jones of Chatham,
Kenan,
Ketchum,
Killgore,
Kimsey,
Knox,
Lamar of Lincoln,
Lamar of Bibb,
Lattimer of Montgomery,
Low,
Lester,
Lindley,
Long,
Lyle,
Mabry of Heard,
Mallary,
Manson,
Martin of Elbert,
Martin of Meriwether,
McConnell of Catoosa,
McConnell of Cherokee,
McCulloch,
McDaniel,
McDowell,
McGriff,
McLain,
McRae,
Means,
Milton,
Moor of Spalding,
Montgomery,
Neal of Talbot,
Nisbet,
Overstreet,
Pariss,
Patrick,
Perkins,
Phinizy of Monroe,
Pickett,
Pierce,
Pinson,
Pittman,
Pitts,
Poe,
Pofford,
Porter,
Poullain,
Prescott,
Price,
Ramsey of Muscogee,
Reed,
Reese,
Reynolds,
Rice,
Richardson of Lee,
Richardson of Twiggs,
Robinson,
Rowe,
Rutherford,
Sharman,
Sharpe,
Sheffield of Calhoun,
Sheffield of Early,
Shell,
Shropshire of Chattooga.
Skelton,
Simmons of Gwinnett,
Simmons of Pickens,

Singleton,
Sirmons,
Sisk,
Smith of Charlton,
Smith of Johnson,
Solomons,
Spence,
Stapleton,
Starr,
Stephens of Hancock,
Stephens of Taliaferro.
Street,
Strickland of Forsyth,
Strickland of Tatnall,
Taliaferro,
Teasley,
Thomas of Dooly,
Thomas of Whitfield,
Tomlinson,
Toombs,
Trippe,
Troup,
Tucker of Colquitt,
Turner of Hancock,
Usry.
Varnadoe,
Warner.
Waterhouse,
Webb,
Wellborn,
West,
Whelchel,
Wicker,
Willingham,
Williams of Chattooga,
Williams of Harris,
Williamson,
Willis,
Winn of Cobb,
Wofford,
Wood,
Word,
Yates,
Yopp.

Those who voted in the negative are Messrs.:

Arnold,
Bailey,
Blalock,
Cannon of Wayne,
Douglass,
Dozier,
Ellington,
Fouche,
French,
Gee,
Gholston,
Hall.
Hammond,
Hansell.
Harris of McIntosh,
Head,
Hendry,
Herrington,
Hood,
Howell,
Johnson of Jefferson,
Kirkland,
Lamb,
Langmade,
Lattimer of Appling,
Logan,
Mabry of Berrien,
Martin of Lumpkin,
McLeod,
Mershon,
Moore of Bulloch,
Morrow,
Mounger,
Munnerlyn,
Newton,
Padget,
Patterson,
Ponder,
Pruett,
Ramsey of Clinch,
Shropshire of Floyd.
Slater,
Simms,
Spencer,
Stephens of Pierce,
Styles,
Tillman,
Tucker of Laurens,

Turner of Wilcox,	Williams of McIntosh,
Walton,	Young of Gordon.
Whitehead,	Young of Irwin.

So the ordinance, as amended, having been twice read, was adopted.

The *second* ordinance, from the same committee, reported by Mr. Cobb, on yesterday, to-wit:

"An ordinance to adopt the laws of the late United States"—was taken up, read twice, and adopted.

The *third* ordinance from the same committee, reported by Mr. Cobb, on yesterday, to-wit:

"An ordinance to define certain offences against the State of Georgia"—was taken up and read.

Mr. Simmons, of Gwinnett, moved to recommit the same for amendment, which was agreed to.

Whereupon Mr. Cobb moved to fill the blank in the second clause, after the word "*than*" with the word "*ten*."

The amendment was received.

Mr. Simmons (of Gwinnett) then moved to strike out the second clause, which was lost.

Mr. Wofford moved to strike out the third clause, which was lost.

Mr. Simmons (of Gwinnett) moved to strike out the words "*or interests*" in the third clause, which motion was lost.

The ordinance was then read twice, and passed.

The *fifth* ordinance reported on yesterday by Mr. Cobb, from the same committee, to wit:

"An ordinance concerning citizenship"—was taken up.

On motion, it was recommitted, and amended by striking out the word "*now*" in the third section, and inserting, in lieu thereof, the word "*lately*."

The ordinance was then twice read and passed.

The report from Mr. Benning, chairman of the "Commit-mittee on the Relations with the slaveholding States of

North America," relative to the admission of States into the Southern Confederacy to be formed at Montgomery, was taken up, read, and recommitted to same committee.

Mr. Whitehead's resolution relative to the adjournment and re-assembling of this Convention at Savannah, was taken up, when amendments from Messrs. Corn, Cannon of Rabun, and Starr, and a substitute from himself, were presented—all of which were laid on the table for the present.

Mr. Briscoe, from the committee on Enrollment, reported as duly enrolled and ready for the signature of the President of the Convention—

An ordinance to continue in force the laws against the African slave trade. Also,

An ordinance in relation to the inter-State slave trade—which, being signed by the President, was deposited in the office of the Secretary of State.

Mr. Nisbet offered the following resolution, which was taken up, read, and agreed to.

Resolved, That the committee on Military Affairs be, and they are hereby requested to enquire into the expediency and practicability of establishing an Armory for the use of the State within the limits of this State, and report to the Convention.

Leave of absence was granted to Messrs. Garvin, Allen, Douglass, Anderson, Harris of Meriwether, Bell of Banks, Styles of Ware, Cochran of Wilkinson, and Richardson of Lee.

On motion of Mr. Hill, of Troup, the Convention then adjourned till eleven o'clock, Monday morning.

MONDAY, JANUARY 28, 1861.

The Convention met pursuant to adjournment, and was opened with prayer, by the Rev. Mr. Flinn.

A quorum being present, the Journal was read.

Mr. Ramsey moved to reconsider so much of the journal of Saturday as relates to the passage of the Ordinance, reported by Mr. Cobb, from the Committee on the Constitution of the State, and the Constitution and Laws of the United States, to-wit:

"An Ordinance, in relation to the Circuit and District Courts of the United States."

The motion to reconsider prevailed, and the Ordinance was referred back to the same Committee.

The hour of 12 having arrived, the order of the day, to-wit: the reception of the Hon. Thos. W. White, Commissioner from the State of Mississippi, to Georgia, took place.

Mr. Alexander, of Upson, chairman of the Committee for that purpose, introduced that gentlemen to the President of the Convention, who, having extended a cordial welcome to him in its behalf, stated that it was then ready to receive, or hear, any communication he, as a Commissioner from Mississippi, was prepared to deliver or communicate.

Whereupon the Commissioner aforesaid addressed the Convention.

Mr. Colquitt, (in the absence of Mr. Toombs, the Chairman of the Committee on Foreign Relations,) made the following Report, to-wit:

The Committee on Foreign Relations, to whom was referred the duty of recommending to the Convention suitable persons to fill the offices of Commissioners to several designated States, have had the same under consideration, and

REPORT:

For Virginia, H. L. Benning, of Muscogee.
For Maryland, A. R. Wright, of Richmond.
For Kentucky, H. R. Jackson, of Chatham.
For Tennessee, H. P. Bell, of Forsyth.
For Missouri, L. J. Glenn, of Fulton.
For Arkansas, D. P. Hill, of Harris.
For Delaware, D. C. Campbell, of Baldwin.
For North Carolina, Samuel Hall, of Macon.

The Report was taken up and read, when, on motion of

Mr. Toombs, (who stated that Mr. Jackson had declined to to serve as Commissioner to Kentucky,) so much of the Report as referred to that State, was recommitted to the Committee on Foreign Relations."

The remainder of the Report was agreed to,

Mr. Stephens, of Taliaferro, from the Committee on Foreign Relations, reported the following Resolutions:

Resolved, That the delegates sent from this State by this Convention, to the proposed Congress to assemble at Montgomery, Alabama, on the 4th day of February next, be fully authorized and empowered, upon free conference and consultation with delegates that may be sent from other seceding States, to said Congress, to unite with them in forming and putting into immediate operation, a temporary or Provisional Government, for the common safety and defence of all the States represented in said Congress. Such temporary or Provisional Government not to extend beyond the period of twelve months from the time it goes into operation, aad to be modeled as nearly as practicable on the basis and principles of the late Government of the United States of America. The powers of the delegates so appointed by this Convention in this particular, being hereby declared to be full and plenary.

Be it further Resolved, That said Delegates be likewise authorized, upon like conference and consultation with the delegates from the other States in said Congress, to agree upon a plan of permanent Government for said States, upon the principles and basis of the Constitution of the late United States of America, which said plan or Constitution of permanent Government shall not be binding or obligatory upon the People of Georgia, unless submitted to, approved, and ratified by this Convention.

The report was taken up and read, when Mr. Fouche moved to lay the same upon the table for the present, and to print 300 copies thereof.

The motion was lost, and the Report was agreed to.

SPECIAL ORDER.

The special order of the day, to-wit:

"An Ordinance, to make provisional arrangements for the

continuance of Commercial Facilities in Georgia," was then taken up and read.

Mr. Hood, of Randolph, from the minority of the Committee on Commercial and Postal Arrangements, reported the following Ordinance, as a substitute for the Ordinance proposed by the majority of said Committee:

AN ORDINANCE

To make Provisional Arrangements for the continuance of Commercial facilities in Georgia.

We, the People of Georgia, in Convention assembled, do declare and Ordain, and it is hereby declared and Ordained,

First, That all citizens of the State of Georgia, who, on the 19th day of January, 1861, were holding office connected with the Customs, under the Government of the late United States, within the limits of this State, be, and they are hereby appointed to hold, under the Government of this State, exclusive of any further connection whatever with the Government of the late United States, the same offices they now fill, until otherwise directed, and to receive the same pay and emoluments for their services.

Second, That until the Convention or other Provisional Government shall otherwise provide, the Governor shall appoint to all vacancies which now exist or may hereafter occur in such offices.

Third, That until otherwise provided, the Revenue, Collection, and Navigation Laws of the late United States, so far as they may be applicable, be, and they are hereby adopted and made the laws of this State, saving that no duties shall be collected upon imports from the States forming the late United States, nor upon the tonnage of vessels owned in whole or in part by the citizens of said States; *Provided*, if the said late United States should assume an attitude of hostility towards the State of Georgia, then the Governor, by his Proclamation, shall put them upon the same footing with all other foreign nations. And, saving and excepting the Act of Congress, adopted the 3rd day of March, 1817, entitled "An Act authorizing the deposit of papers of foreign vessels with the Consuls of their

respective nations," which Act is hereby declared to be of no force within the limits of this State.

Fourth, That all vessels built in Georgia, or elsewhere, and owned to the amount of one third by a citizen, or citizens, of Georgia, or of any of the seceding States from the late United States, and commanded by a citizen thereof, and no other, shall be registered as vessels of Georgia, under the authority of the Collector and Naval officers.

Fifth, That all the official acts of the officers aforesaid, in which it is usual and proper to set forth the authority under which they act, or the style of documents issued by them, or any of them, shall be in the name of the State of Georgia.

Sixth, That all monies hereafter collected by any of the officers aforesaid, shall, after deducting the sums necessary for the compensation of officers, and other expenses incident thereto, be paid into the Treasury of the State of Georgia, subject to the order of this Convhntion, or the General Assembly.

Seventh, That the officers aforesaid shall retain in their hands all property of the late United States in their possession, custody, or control, subject to the disposal of the proper authorities, who will account for the same, upon a final settlement with the Government of the late United States.

Mr. Hood moved that the substitute be adopted in lieu of the original Ordinance.

Whereupon Mr. Hill, of Troup, demanded that the yeas and nays be recorded.

There are yeas 130, nays 119, to-wit:

Those who voted in the affirmative, are Messrs.

Adams of Camden,	Butts,
Alexander of Fulton,	Calhoun,
Algood,	Cannon of Wayne,
Bailey,	Carson,
Bartow,	Chastain,
Benning,	Cheshier,
Blalock,	Clarke,
Brown of Houston,	Cobb,
Buchanan,	Colquitt,
Burch,	Cox,

Crawford of Greene,
Davis of Chattaoochee,
Davenport of Clay,
Davenport of Sumter,
Dewberry,
Douglass,
Dozier,
Fleming,
Flewellen,
Ford,
Fort of Stewart,
Fort of Wayne,
Fouche,
Furlow,
Gaulden,
Gee,
Gholston,
Glenn of Fulton,
Glenn of Oglethorpe,
Glover,
Giles,
Gresham,
Gunn,
Hall,
Hamilton,
Hammond,
Hansell,
Harvill,
Harris of Glynn,
Harris of McIntosh,
Hawkins,
Head,
Henderson,
Hendry,
Hendricks,
Hill of Hart,
Hilliard,
Hines,
Hood,
Howell,
Huggins,
Jackson,
Jennings,
Johnson of Oglethorpe,
Jones of Burke,
Jones of Chatham,
Knox,
Lamar of Bibb,
Lamb,
Lattimer of Appling,
Lester,
Lindley,
Logan,
Logue,
Lyle,
Mallary,
Martin of Elbert,
Martin of Lumpkin,
McConnell of Catoosa,
McCulloch,
McDowell,
McLeod,
Milton,
Moore of Bulloch,
Moor of Spalding,
Mounger,
Padget,
Patterson,
Phinizy of Richmond,
Pickett,
Pittman,
Poe,
Porter,
Poullain,
Prescott,
Price,
Pruett,
Ramsey of Clinch,
Ramsey of Muscogee,
Rice,
Robinson,
Roddey,
Rutherford,
Sheffield of Calhoun,
Sheffield of Early,
Slater,
Skelton,
Simms,
Singleton,
Solomons,
Spencer,
Stephens of Pierce,
Strickland of Forsyth,
Taliaferro,
Thomas of Dooly,
Tillman,

Tomlinson,
Toombs,
Troup.
Tucker of Colquitt,
Turner of Wilcox,
Usry,
Varnadoe,
Walton,
Waterhouse,
Wellborn,
Whitehead,
Williams of McIntosh,
Word,
Young of Gordon.

Those who voted in the negative are Messrs.

Adams of Putnam,
Alexander of Upson,
Arnold,
Beasley,
Beck,
Beall of Forsyth,
Black,
Bowen,
Brewton,
Briscoe,
Brown of Marion,
Brown of Webster,
Bush,
Byrd,
Cannon of Rabun,
Cantrell,
Cochran of Terrell,
Coleman,
Corn,
Dabney,
Davis of Putnam,
Day,
Dickerson,
Fain,
Farnsworth,
Fields,
Fitzpatrick,
Freeman,
Frier,
French,
Gordon,
Graham,
Gray,
Hale,
Hargroves,
Harris of Hancock,
Herrington,
Hill of Harris,
Hill of Troup,
Hudson of Gwinnett,
Hudson of Harris,
Hust,
Johnson of Clayton,
Johnson of Hall,
Johnson of Jefferson,
Jordan,
Kenan,
Ketchum,
Killgore,
Kimsey,
Kirkland,
Lamar of Lincoln,
Lattimer of Montgomery,
Low,
Mabry of Berrien,
Mabry of Heard,
Manson,
Martin of Merriwether,
McConnell of Cherokee,
McDaniel,
McRae,
Means,
Mershon,
Mitchell,
Montgomery,
Morrow,
Neil of Talbot,
Newton,
Nisbet,
Overstreet,
Paris,
Patrick,
Phinizy of Monroe,
Pierce,
Pinson,
Pitts,
Pofford,
Reese,

Reynolds,
Rowe,
Saffold,
Sharmon,
Sharpe,
Shell,
Shropshire of Chattooga,
Shropshire of Floyd,
Simmons of Gwinnett,
Simmons of Pickens,
Sirmons,
Sisk,
Smith of Charlton,
Smith of Johnson,
Smith of Talbot,
Spence,
Stapleton,
Stephens of Monroe,
Street,
Strickland of Tatnall,
Teasley,
Thomas of Whitfield,
Tidwell,
Trippe,
Tucker of Laurens,
Warner,
Webb,
West,
Whelchel,
Willingham,
Williams of Chattooga,
Williams of Harris,
Williamson,
Willis,
Winn of Cobb,
Wofford,
Wood,
Wright,
Yates,
Yopp,
Young of Irwin.

So the substitute was adopted in lieu of the original Ordinance, and having been read twice was passed with the following amendment, to-wit:

After the words "holding office," in the first section, to add the words, "or who may have resigned, and where resignations may not have been accepted."

Mr. Cobb, from the Committee on the Constitution of the State and the Constitution and Laws of the United States, submitted the following, which, on his motion, without being read, was laid on the table until after the proposed recess, and 1,000 copies ordered to be printed:

The fundamental principles of Free Government cannot be too well understood or too often recurred to. Hence we declare this

BILL OF RIGHTS.

All Government derives its authority from the consent of the governed; who may modify, alter or annul the same whenever their safety or happiness requires it. No Government should be changed for slight or transient causes, nor unless upon reasonable assurance that a better will be established.

Protection to person and property is the consideration of allegiance; and a Government which knowingly and persistently denies or withholds such protection from the governed, releases them from the obligation of obedience.

No citizen shall be deprived of life, liberty, or property, except by due process of Law; and of life or liberty only by the judgment of his peers. The writ of habeas corpus shall not be suspended unless when in case of rebellion or invasion the public safety may require it.

A well regulated Militia being necessary to the security of a free State, the right of the People to keep and bear arms shall not be infringed.

The prevalence of the Christian Religion among the people, and the basis of Christian principles underlying the laws, entitle this State to be ranked among the Christian nations of the earth, and as those principles are independent of all political organization, no religious test shall ever be required for the tenure of any office, and no religious establishment allowed; and no citizen shall be deprived of any right or privilege by reason of his religious belief.

Freedom of thought and opinion, freedom of speech, and freedom of the Press, are inherent elements of political liberty. But while every citizen may freely speak, write, and print, on any subject, he shall be responsible for the abuse of the liberty.

The right of the People to appeal to the Courts, to petition Government on all matters of legitimate cognizance, and peaceably to assemble for the consideration of any matter of public concern, can never be impaired.

For every right there should be provided a remedy, and every citizen ought to obtain justice without purchase, without denial, and without delay, conformably to the laws of the land.

Every person charged with an offence against the laws of the State, shall have

1st, The privilege and benefit of counsel.

2nd, Shall be furnished, on demand, with a copy of the accusation, and a list of the witnesses against him.

3rd, Shall have the compulsory process of the Court to obtain the attendance of his own witnesses.

4th, Shall be confronted with the witnesses testifying against him, and

5th, Shall have a public and speedy trial by an impartial Jury.

No person shall be put in jeopardy of life or liberty more than once for the same offence.

No conviction shall work corruption of blood, or general forfeiture of estate.

Excessive bail shall not be required or excessive fines imposed; nor cruel and unusual punishments inflicted.

The power of the Courts to punish for contempts should always be limited by legislative acts.

A faithful, honest, and fearless execution of the laws is essential to good order; and good order in society is essential to true Liberty.

Legislative Acts in violation of the fundamental law are void; and the Judiciary shall so declare them.

Ex post facto laws, or laws impairing the obligation of contracts, or retroactive legislation affecting the rights of the citizens, are prohibited.

Laws should have a general operation, and no general law should be varied in a particular case, by special legislation, except upon notice to all persons to be affected thereby.

The right of taxation can be granted only by the People, and should be exercised by their agents in Government only for the legitimate purposes of Government.

In cases of necessity, private ways may be granted upon just compensation being first paid; and with this exception private property shall not be taken except for public use; and then only upon just compensation, such compensation, except in cases of pressing necessity, should be first provided and paid.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place or places to be searched, and the persons or things to be seized.

Extreme necessity only should justify the declaration of Martial Law.

Large standing armies in times of Peace are dangerous to Liberty.

No soldier shall, in time of Peace, be quartered in any house, without the consent of the owner, nor in time of War, but in a manner prescribed by law.

Titles of Nobility are inconsistent with Republican Equality, and civil honors should come by merit and not by inheritance.

All powers not delegated to the Government, expressly or by necessary implication, are reserved to the People of the State. And in all doubtful cases the denial of the grant is the ground safest for the liberty of the People.

The enumeration of rights herein contained shall not be construed to deny to the People any inherent rights which they have hitherto enjoyed.

Mr. Briscoe, from the Committee on Enrollment, reported as duly enrolled, and ready for the signature of the President, certain Ordinances passed in secret session, which were signed by the President, and transmitted to the Governor.

Mr. Singleton moved that Mr. Brown of Marion be placed upon the Committee on Accounts, in lieu of Mr. McDonald of Ware, who was absent.

The motion was agreed to.

Mr. Bartow, from the Committee on Military affairs, made the following

REPORT:

The Committee on Military affairs, to whom was referred an Ordinance to organize a mounted police in each of the several Counties of the State, and for other purposes, have considered the same, and report that, in their opinion, the said Ordinance ought not to pass.

The report was taken up and agreed to.

Mr. Bartow, from the same Committee. also made the following

REPORT:

That the Committee to whom was referred a Resolution directing them "to inquire into the expediency and practi-

cability of establishing an Armory for the use of the State within its limits, and to report to the Convention," ask leave for further time, to make their report.

The report was taken up, read, and the leave asked, was granted.

Leave of absence was granted to Messrs. Buchanan, Hill of Hart, Martin of Elbert, Turner of Hancock, Moore of Bulloch, Pinson, McGriff, Fitzpatrick, Cobb, Richardson of Twiggs, and Smith of Johnson.

The Convention then adjourned till ten o'clock to-morrow morning.

TUESDAY, JANUARY 29, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Crawford.

A quorum being present, the journal was read.

Mr. Tidwell, moved to reconsider so much of the journal of yesterday as relates to the passage of

AN ORDINANCE

To make Provisional arrangements for the continuance of Commercial facilities in Georgia.

Mr. Hood moved the previous question, which, being seconded prevailed, when the yeas and nays were demanded to be recorded.

There are yeas 113 ; nays 143, to-wit :

Those who voted in the affirmative are Messrs.

Adams of Putnam,	Briscoe,
Alexander of Upson,	Brown of Marion,
Arnold,	Brown of Webster,
Beasley,	Bullard,
Beck,	Burnett,
Beall of Troup,	Bush,
Black,	Byrd,
Brewton,	Cannon of Rabun,

Cochran of Terrell,
Cody,
Corn,
Dabney,
Davis of Putnam,
Day,
Deupree,
Dickerson,
Fain,
Freeman,
Frier,
French,
Gordon,
Graham,
Gray,
Hale,
Haines,
Hargroves,
Harris of Hancock,
Henderson,
Herrington,
Hill of Harris,
Hill of Troup,
Hudson of Gwinnett,
Hudson of Harris,
Hust,
Johnson of Clayton,
Johnson of Hall,
Johnson of Jefferson,
Jordan,
Kenan,
Ketchum,
Killgore,
Kimsey,
Kirkland,
Lamar of Lincoln,
Langmade,
Lattimer of Montgomery,
Low,
Long,
Mabry of Heard,
Manson,
Martin of Meriwether,
McDaniel,
McRae,
Means,
Mershon,
Mitchell,
Montgomery,
Morrow,
Neal of Talbot,
Newton,
Nisbet,
Overstreet,
Paris,
Patrick,
Phinizy of Monroe,
Pierce,
Pitts,
Pofford,
Reynolds,
Rowe,
Saffold,
Sharman,
Sharpe,
Shropshire of Chattooga,
Shropshire of Floyd,
Simmons of Gwinnett,
Simmons of Pickens,
Sirmons,
Sisk,
Smith of Charlton,
Smith of Johnson,
Smith of Talbot,
Spence,
Stapleton,
Starr,
Stephens of Monroe,
Street,
Strickland of Tatnall,
Thomas of Whitfield,
Tidwell,
Trippe,
Tucker of Laurens,
Warner,
Webb,
West,
Whelchel,
Willingham,
Williams of Chattooga.
Williams of Harris,
Williamson,
Wood,
Wright,
Yates,
Yopp,
Young of Irwin.

Those who voted in the negative are Messrs.:

Adams of Camden,
Alexander of Fulton,
Algood,
Bailey,
Banks,
Bartow,
Bell of Forsyth,
Benning,
Blalock,
Bowen,
Brown of Houston,
Bryan,
Burch,
Butts,
Calhoun,
Cannon of Wayne,
Carson,
Chastain,
Cheshier,
Clarke,
Cleveland,
Coleman,
Colquitt,
Crawford of Richmond,
Daniel,
Davis of Chattahoochee,
Davenport of Clay,
Davenport of Sumter,
Dennis,
Dewberry,
Douglass,
Dozier,
Farnsworth,
Fleming,
Flewellen,
Fields,
Ford,
Fort of Stewart,
Fort of Wayne,
Fouche,
Furlow,
Gaulden,
Gardner,
Gee,
Gholston,
Glenn of Fulton,
Glenn of Oglethorpe,
Glover,
Giles,
Gresham,
Gunn,
Hamilton,
Hammond,
Hansell,
Harville,
Harris of Glynn,
Harris of McIntosh,
Harvey,
Hawkins,
Head,
Hendry,
Hendricks,
Hilliard,
Hines,
Hood,
Howell,
Huggins,
Hull,
Jackson,
Jennings,
Johnson of Oglethorpe,
Jones of Burke,
Jones of Chatham,
Knox,
Lamar of Bibb,
Lamb,
Lester,
Lindley,
Logan,
Logue,
Lyle,
Mallary,
Martin of Lumpkin,
McConnell of Catoosa,
McConnell of Cherokee,
McCulloch,
McDowell,
McLeod,
Milton,
Moore of Bulloch,
Moor of Spalding,
Mounger,

Munnerlyn,
Padget,
Patterson,
Phinizy of Richmond,
Picket,
Pittman,
Poe,
Ponder,
Porter,
Poullain,
Prescott,
Price,
Pruett,
Ramsey of Muscogee,
Reed,
Rice,
Richardson of Lee,
Robinson,
Roddey,
Rutherford,
Sheffield of Calhoun,
Sheffield of Early,
Shell,
Slater,
Skelton,
Simms,
Singleton,
Solomons,
Spencer,
Stephens of Pierce,
Strickland of Forsyth,
Taliaferro,
Teasley,
Thomas of Dooly,
Tillman,
Tomlinson,
Toombs,
Troup,
Tucker of Colquitt,
Turner of Wilcox,
Varnadoe,
Walton,
Waterhouse,
Wellborn,
Whitehead,
Williams of McIntosh,
Willis,
Winn of Cobb,
Wofford,
Word,
Young of Gordon.

So the motion to reconsider was lost.

Mr. Clarke, from the "Committee on the Constitution and Laws of State, and the Constitution and Laws of the United States," laid on the table the following report and resolutions referred to therein

"*Mr. President:* I am instructed to report a set of resolutions in connection herewith, for providing some remedy against the unlawful seizure of the arms and other property of the State of Georgia, by the authorities or people of other States, and which report is also made at the suggestion and request of his Excellency the Governor of this State.

Whereas, late events indicate a disposition upon the part of certain persons at the North, either under the authority of the State officers, or in unauthorized bands to seize and retain arms and ammunition intended for the seceding States, and wheras, Georgia cannot and will not tolerate any such interference with her rights, under the Laws of Nations therefore:

Be it resolved, That upon sufficient information being given to him of any such interference with arms or ammunition, intended for Georgia, the Governor of this State be, and he is herby authorized, immediately to demand of the Governor of the State where such outrage is committed, a restitution of the property, or ample remuneration for the same, with security against the repetition of such outrage. And if such indemnity is not given within twelve days from the date of the demand, the Governor of this State is hereby authorized to make reprisals from the property of the citizens of such recreant State, to be found within the borders of this State, or the waters adjacent thereto; and in his discretion he may issue in addition thereto, letters of Marque and Reprisal against the commerce going to and coming from the ports of such recusant State under the flag of the United States of America.

Be it further resolved, That whenever the Governor shall thus proceed, the judgment and other liens in favor of citizens of such recusant State proceeded against shall be suspended, and such citizens shall lose and not be allowed to hold any status as Plaintiffs in any of the Courts of this State.

The report was read and laid on the table till after the recess.

Mr. Nisbet, from the committee of seventeen, to report the Ordinance of Secession, after stating that it was written by Mr. Toombs made the following

REPORT,

which was taken up, read, and adopted.

"The people of Georgia having dissolved their political connection with the Government of the United States of America, present to their confederates, and the world, the causes which have led to the separation. For the last ten years we have had numerous and serious causes of complaint against our non-slaveholding confederate States, with reference to the subject of African slavery. They have endeavored to weaken our security, to disturb our domestic peace and tranquility, and persistently refused to comply with their

express constitutional obligations to us in reference to that property, and by the use of their power in the Federal Government, have striven to deprive us of an equal enjoyment of the common Territories of the Republic. This hostile policy of our confederates has been pursued with every circumstance of aggravation which could arouse the passions and excite the hatred of our people, and has placed the two sections of the Union, for many years past, in the condition of virtual civil war. Our people, still attached to the Union, from habit and National traditions, and averse to change, hoped that time, reason and argument, would bring, if not redress, at least exemption from farther insults, injuries and dangers. Recent events have fully dissipated all such hopes, and demonstrated the necessity of separation. Our Northern confederates, after a full and calm hearing of all the facts, after a fair warning of our purpose not to submit to the rule of the authors of all these wrongs and injuries, have, by a large majority, committed the Government of the United States into their hands. The people of Georgia, after an equally full and fair and deliberate hearing of the case, have declared with equal firmness, that they shall not rule over them. A brief history of the rise, progress and policy of anti-slavery, and of the political organization into whose hands the administration of the Federal Government has been committed, will fully justify the pronounced verdict of the people of Georgia. The party of Lincoln, called the Republican party, under its present name and organization is of recent origin. It is admitted to be an anti-slavery party, while it attracts to itself by its creed, the scattered advocates of exploded political heresies, of condemned theories in political economy, the advocates of commercial restrictions, of protection, of special privileges, of waste and corruption in the administration of Government; anti-slavery is its mission and its purpose. By anti-slavery it is made a power in the State. The question of slavery was the great difficulty in the way of the formation of the Constitution. While the subordination and the political and social inequality of the African race were fully conceded by all, it was plainly apparent that slavery would soon disappear from what are now the non-slaveholding States of the original thirteen; the oppo-

sition to slavery was then, as now, general in those States, and the Constitution was made with direct reference to that fact. But a distinct abolition party was not formed in the United States, for more than half a century after the Government went into operation. The main reason was, that the North, even if united, could not control both branches of the Legislature during any portion of that time. Therefore, such an orginazition must have resulted, either in utter failure, or in the total overthrow of the Government. The material prosperity of the North was greatly dependent on the Federal Government; that of the South not at all. In the first years of the Republic, the navigating, commercial and manufacturing interests of the North, began to seek profit and aggrandizement at the expense of the agricultural interests. Even the owners of fishing smacks, sought and obtained bounties for pursuing their own business, which yet continue—and half a million of dollars are now paid them annually out of the Treasury. The navigating interests begged for protection against foreign ship builders, and against competition in the coasting trade; Congress granted both requests, and by prohibitory acts, gave an absolute monopoly of this business to each of their interests, which they enjoy without diminution to this day. Not content with these great and unjust advantages, they have sought to throw the legitimate burthens of their business as much as possible upon the public; they have succeeded in throwing the cost of light-houses, buoys, and the maintenance of their seamen, upon the Treasury, and the Government now pays above two millions annually for the support of these objects. These interests in connection with the commercial and manufacturing classes, have also succeeded, by means of subventions to mail steamers, and the reduction of postage, in relieving their business from the payment of about seven millions of dollars annually, throwing it upon the public Treasury, under the name of postal deficiency. The manufacturing interest entered into the same struggle early, and has clamored steadily for Government bounties and special favors. This interest was confined mainly to the Eastern and Middle non-slaveholding States. Wielding these great States, it held great power and influence, and its demands were in full

proportion to its power. The manufacturers and miners *wisely* based their demands upon special facts and reasons, rather than upon general principles, and thereby mollified much of the opposition of the opposing interest. They pleaded in their favor, the infancy of their business in this country,the scarcity of labor and capital, the hostile legislation of other countries towards them, the great necessity of their fabrics in the time of war, and the necessity of high duties to pay the debt incurred in our war for independence; these reasons prevailed, and they received for many years enormous bounties by the general acquiescence of the whole country.

But when these reasons ceased, they were no less clamorous for government protection; but their clamors were less heeded,—the country had put the principle of protection upon trial, and condemned it. After having enjoyed protection to the extent of from fifteen to two hundred per cent, upon their entire business, for above thirty years, the Act of 1846 was passed. It avoided sudden change, but the principle was settled, and free-trade, low duties, and economy in public expenditures was the verdict of the American people. The South, and the Northwestern States sustained this policy. There was but small hope of its reversal,—upon the direct issue, none at all. All these classes saw this, and felt it, and cast about for new allies. The anti-slavery sentiment of the North offered the best chance for success. An anti-slavery party must necessarily look to the North alone for support; but a united North was now strong enough to control the government in all of its departments, and a sectional party was therefore determined upon. Time, and issues upon slavery, were necessary to its completion and final triumph. The feeling of anti-slavery, which it was well known was very general among the people of the North, had been long dormant or passive, —it needed only a question to arouse it into aggressive activity. This question was before us: we had acquired a large territory by successful war with Mexico; Congress had to govern it, how—in relation to slavery—was the question, then demanding solution. This state of facts gave form and shape to the anti-slavery sentiment throughout the North, and the conflict began. Northern anti-slavery men

of all parties asserted the right to exclude slavery from the territory by Congressional legislation, and demanded the prompt and efficient exercise of this power to that end. This insulting and unconstitutional demand was met with great moderation and firmnesss by the South. We had shed our blood and paid our money for its acquisition; we demanded a division of it, on the line of the Missouri restriction, or an equal participation in the whole of it. These propositions were refused, the agitation became general, and the public danger great. The case of the South was impregnable. The price of the acquisition was the blood and treasure of both sections—of all; and therefore it belonged to all, upon the principles of equity and justice. The Constitution delegated no power to Congress to exclude either party from its free enjoyment; therefore, our right was *good*, under the Constitution. Our rights were further fortified by the practice of the government from the beginning. Slavery was forbidden in the country Northwest of the Ohio river, by what is called the Ordinance of 1787. That ordinance was adopted under the old confederation, and by the assent of Virginia, who owned and ceded the country; and, therefore, this case must stand on its own special circumstances. The government of the United States claimed territory by virtue of the treaty of 1783 with Great Britain; acquired territory by cession from Georgia and North Carolina; by treaty from France, and by treaty from Spain. These acquisitions largely exceeded the original limits of the Republic. In all of these acquisitions the policy of the government was uniform. It opened them to the settlement of all the citizens of all the States of the Union. They emigrated thither with their property of every kind (including slaves),—all were equally protected by public authority in their persons and property, until the inhabitants became sufficiently numerous, and otherwise capable of bearing the burthens and performing the duties of self-government, when they were admitted into the Union, upon equal terms with the other States, with whatever republican constitution they might adopt for themselves.

Under this equally just and beneficent policy, law and order, stability and progress, peace and prosperity marked

every step of the progress of these new communities, until they entered as great and prosperous commonwealths into the sisterhood of American States. In 1820, the North endeavored to overturn this wise and successful policy, and demanded that the State of Missouri should not be admitted into the Union, unless she first prohibited slavery within her limits, by her Constitution. After a bitter and protracted struggle, the North was defeated in her special object; but her policy and position led to the adoption of a section in the law, for the admission of Missouri, prohibiting slavery in all that portion of the territory acquired from France, lying North of 36 deg. 30 min. North latitude, and outside of Missouri. The venerable Madison, at the time of its adoption, declared it unconstitutional; Mr. Jefferson condemned the restriction, and foresaw its consequences, and predicted that it would result in the dissolution of the Union. His prediction is now history. The North demanded the application of the principle of prohibition of slavery to all of the territory acquired from Mexico, and all other parts of the public domain, then and in all future time. It was the announcement of her purpose to appropriate to herself all the public domain then owned and thereafter to be acquired by the United States. The claim itself was less arrogant and insulting than the reason with which she supported it. That reason was her fixed purpose to limit, restrain and finally to abolish slavery in the States where it exists. The South, with great unanimity, declared her purpose to resist the principle of prohibition to the last extremity. This particular question, in connection with a series of questions affecting the same subject, was finally disposed of by the defeat of prohibitory legislation.

The Presidential election of 1852, resulted in the total overthrow of the advocates of restriction and their party friends. Immediately after this result, the anti-slavery portion of the defeated party, resolved to unite all the elements in the North, opposed to slavery, and to stake their future political fortunes upon their hostility to slavery everywhere. This is the party to whom the people of the North have committed the government. They raised their standard in

1856,and were barely defeated; they entered the Presidential contest again, in 1860, and succeeded.

The prohibition of slavery in the territories,hostility to it everywhere, the equality of the black and white races, disregard of all constitutional guarrantees in its favor, were boldly proclaimed by its leaders, and applauded by its followers.

With these principles on their banners and these utterances on their lips, the majority of the people of the North demand, that we shall receive them as our rulers.

The prohibition of slavery in the territories is the cardinal principle of this organization.

For forty years this question had been considered, and debated in the halls of Congress, before the people, by the press, and before the tribunals of justice. The majority of the people of the North in 1860, decided it in their own favor. We refuse to submit to that judgment, and in vindication of our refusal, we offer the constitution of our country, and point to the total absence of any express power to exclude us; we offer the practice of our government, for the first thirty years of its existence, in complete refutation of the position that any such power is either necessary or proper to the execution of any other power in relation to the territories. We offer the judgment of a large minority of the people of the North, amounting to more than one-third who united with the unanimous voice of the South against this usurpation; and finally, we offer the judgment of the Supreme Court of the United States, the highest judicial tribunal of our country in our favor. This evidence ought to be conclusive, that we have never surrendered this right; the conduct of our adversaries admonishes us that if we had surrendered it, it is time to resume it.

The faithless conduct of our adversaries, is not confined to such acts as might aggrandize themselves or their section of the Union; they are content, if they can only injure us. The constitution declares, that persons charged with crimes in one State and fleeing to another, shall be delivered up on the demand of the Executive authority of the State from which they may flee, to be tried in the jurisdiction where the crime was committed. It would appear difficult to employ language freer from ambiguity; yet, for above

twenty years, the non-slaveholding State, generally, have wholly refused to deliver up to us persons charged with crimes affecting slave property; our confederates, with punic faith, shield and give sanctuary to all criminals, who seek to deprive us of this property, or who use it to destroy us. This clause of the constitution has no other sanction than their good faith; *that* is withheld from us; we are remediless in the Union; out of it, we are remitted to the laws of nations.

A similar provision of the Constitution requires them to surrender fugitives from labor. This provision and the one last referred to, were our main inducements for confederating with the Northern States; without them, it is historically true, that we would have rejected the Constitution. In the fourth year of the Republic, Congress passed a law to give full vigor and efficiency to this important provision. This act depended to a considerable degree upon the local magistrates of the several States for its efficiency; the non-slaveholding States generally repealed all laws intended to aid the execution of that act, and imposed penalties upon those citizens whose loyalty to the Constitution, and their oaths, might induce them to discharge their duty. Congress then passed the act of 1850, providing for the complete execution of this duty by Federal Officers. This law which their own bad faith rendered absolutely indispensable for the protection of constitutional rights, was instantly met with ferocious revilings, and all conceivable modes of hostility. The Supreme Court unanimously, and their own local Courts, with equal unanimity, (with the single and temporary exception of the Supreme Court of Wisconsin,) sustained its constitutionality in all of its provisions. Yet it stands to-day a dead letter, for all practicable purposes, in every non-slaveholding State in the Union. We have their covenants, we have their oaths, to keep and observe it, but the unfortunate claimant, even accompanied by a Federal Officer, with the mandate of the highest judicial authority in his hands, is everywhere met, with fraud, with force, and with legislative enactments, to elude, to resist and defeat him; claimants are murdered with impunity; Officers of the law are beaten by frantic mobs, instigated by inflammatory appeals from persons holding the highest public em-

ployment in these States, and supported by legislation in conflict with the clearest provisions of the Constitution, and even the ordinary principles of humanity. In several of our confederate States, a citizen can not travel the high-way with his servant, who may voluntarily accompany him, without being declared by law a felon, and being subjected to infamous punishments. It is difficult to perceive how we could suffer more by the hostility, than by the fraternity of such brethren.

The public law of civilized nations requires every State to restrain its citizens or subjects from committing acts injurious to the peace and safety of any other State, and from attempting to excite insurrection, or to lessen the security, or to disturb the tranquility of their neighbors, and our Constitution wisely gives Congress the power to punish all offences against the laws of nations.

These are sound and just principles which have received the approbation of just men in all countries, and all centuries. But they are wholly disregarded by the people of the Northern States, and the Federal Government is impotent to maintain them. For twenty years past, the Abolitionists and their allies in the Northern States, have been engaged in constant efforts to subvert our institutions, and to excite insurrection and servile war amongst us. They have sent emissaries among us, for the accomplishment of these purposes. Some of these efforts have received the public sanction of a majority of the leading men of the Republican party in the National Councils, the same men who are now proposed as our rulers. These efforts have in one instance led to the actual invasion of one of the slave-holding States, and those of the murderers and incendiaries, who escaped public justice by flight, have found fraternal protection among our Northern Confederates.

These are the men who say the *Union shall be preserved.*

Such are the opinions and such are the practices of the Republican Party, who have been called by their own votes to administer the Federal Government under the Constitution of the United States; we know their treachery, we know the shallow pretences under which they daily disregard its plainest obligations; if we submit to them, it will

be our fault and not theirs. The people of Georgia have ever been willing to stand by this bargain, this contract; they have never sought to evade any of its obligations; they have never hitherto sought to establish any new government, they have struggled to maintain the ancient right of themselves and the human race, through and by that Constitution. But they know the value of parchment rights, in treacherous hands, and therefore, they refuse to commit their own to the rulers whom the North offer us. Why? Because by their declared principles and policy, they have outlawed three thousand millions of our property in the common territories of the Union, put it under the ban of the Republic in the States where it exists, and out of the protection of Federal law everywhere; because they give sanctuary to thieves and incendiaries who assail it to the whole extent of their power, in spite of their most solemn obligations and covenants; because their avowed purpose is to subvert our society, and subject us, not only to the loss of our property but the destruction of ourselves, our wives and our children, and the desolation of our homes, our altars, and our firesides. To avoid these evils, we resume the powers which our Fathers delegated to the Government of the United States, and henceforth will seek new safeguards for our liberty, equality, security and tranquility."

On motion of Mr. Nisbet, 10,000 copies of the report were ordered to be printed in pamphlet form, for the use of the Convention.

Mr. Moor, from the Committee on Enrolment, made the following report:

The Committee on Enrolment report that they have enrolled and have now ready for the signature of the President the following ordinances, to-wit:

An ordinance to adopt certain laws of the late United States.

Also an ordinance to define certain offences against the State of Georgia.

Also an ordinance concerning citizenship.

Whereupon the President signed, and the same were deposited in the office of the Secretary of State.

Mr. Wofford offered the following resolution, which was taken up, read, and adopted.

"*Resolved*, That the Pension Agent of the United States for the State of Georgia be requested to exercise the usual functions of his agency, until further instructed by this Convention."

Mr. Johnson, from the Committee on Enrolment, made the following report:

Mr. President:—I am instructed by the Committee on Enrolment to report as duly enrolled—

An ordinance in relation to oaths.

An ordinance to make provisional postal arrangements in Georgia, and

An ordinance in reference to lands heretofore ceded to the late United States of America.

Whereupon the President signed, and the same were deposited in the office of the Secretary of State.

Mr. Rice, from the Committee on the Constitution of the State and the Constitution and Laws of the United States, to whom was referred an ordinance in relation to the Circuit and District Courts of the United States, reported the following:

AN ORDINANCE

To abolish the Circuit and District Courts of the United States for the District of Georgia, and to establish other Courts in lieu thereof, and to continue in force certain judgements and executions.

The people of Georgia in Convention assembled, hereby declare and ordain,

That the Circuit and District Courts of the late United States for the State of Georgia be, and the same are hereby abolished as Courts of the said United States, and the District Courts of the United States for the Northern and

Southern Districts of the State of Georgia are hereby re-established as Courts of the independent State of Georgia, with the same jurisdiction and powers as they had under the laws of the United States, except so far as the same are modified by the ordinances of this Convention.

2. The commissions of all the judges and officers of said Courts are hereby terminated. And the Governor of this State is hereby authorized to appoint and commission a judge and other officers of said Courts to hold their commissions until the further action of this Convention—the said Judge to reside in or near the city of Savannah in this State, and the said Judge shall receive at the rate of twenty-five hundred dollars per annum as his salary.

3. The causes, civil and criminal, now pending in the Circuit Court of the late United States of Georgia, are hereby transferred to the District Court now hereby established for the Southern District of Georgia, and the said District Court shall have power to hear and determine the same.

4. The causes, civil and criminal, now pending in the District Courts of the Northern and Southern Districts of Georgia are continued without prejudice in the said Courts now hereby established; and the judgments and decrees heretofore rendered therein, and the executions issued thereon, shall lose no right, lien or validity by the operation of this ordinance or the ordinance of secession, but shall continue in force, as if the courts remained in existence, and the stay law of the General Assembly of 1860 shall apply to the judgments and proceedings of said courts.

5. No civil suits in favor of citizens of other States shall be instituted in said Courts until the further order of this Convention, except cases of admiralty and maritime jurisdiction.

The report was taken up and agreed to, and the ordinance having been twice read, was adopted.

Mr. Fleming laid upon the table the following ordinance, which was read, and laid on the table till after the recess.

AN ORDINANCE

To alter and amend the first section of the third article of the Constitution of Georgia.

The people of Georgia in Convention assembled do declare and ordain,

That so much of the first section of the third article of the Constitution of Georgia, as is in the following words, to wit: "The Supreme Court shall consist of three Judges, who shall be elected by the Legislature, for such term of years as shall be prescribed by law, and shall continue in office until their successors shall be elected and qualified," shall be stricken out, and the following inserted in lieu and place thereof, to wit:

The Supreme Court shall consist of five Judges, who shall be appointed by the Governor of the State, with the advice and consent of two-thirds of the Senate, and shall hold their office during good behavior.

And be it further enacted, That so much of the said first section of the third article of the Constitution, as is in the following words, to-wit: "And shall sit at least once a year, at a time to be prescribed by law, in each of the five judicial districts, to be hereafter laid off and designated by the Legislature for that purpose, at the most central point in each judicial district, or at such other point in each district as shall, by the General Assembly, be ordained for the trial and determination of writs of error from the several Superior Courts included in each judicial district," shall be stricken out, and the following inserted in lieu and place thereof, to-wit: And shall sit at least twice a year at Milledgeville; or wherever the Capitol of the State may be, for the trial and determination of writs of error, from the several Superior Courts of this State.

And be it further ordained, That so much of the said first section of the third article of the Constitution, as is in the following words, to-wit: "And the said court shall at each session, in each district, dispose of and finally determine each and every case on the docket of such court, at the first term after such writ of error brought," shall be

stricken out, and the following inserted in lieu thereof, to-wit: "And the said court shall, at each session, hear each and every case on the docket, unless prevented by Providential cause, and shall, in their discretion, dispose of and finally determine the same, either at the first or second term after such writ of error brought, and no decision shall be pronounced orally, but each and every decision shall be reduced to writing and submitted to the other Judges, or a majority of them for correction and approval before it is pronounced."

And be it further ordained, That so much of the said first section of the third article of the Constitution, as is in the following words, to-wit: "The Judges of the Superior Courts shall be elected for the term of four years, and shall continue in office until their successors shall be elected and qualified," shall be stricken out, and the following inserted in lieu thereof, to-wit: The Judges of the Superior Courts shall be appointed by the Governor, with the advice and consent of two-thirds of the Senate, and shall continue in office during good behavior."

Mr. Hamilton laid on the table the following ordinance, which was taken up, read twice, and adopted:

"In view of the present condition of the country, and the alleged apprehension of foreign capitalists as to the scarcity of capital invested in this State—

Be it ordained, That to encourage the manufacturing and mining and other permanent improvements of this State, this Convention does hereby declare it to be the fixed policy of Georgia to protect all investments already made, or which may be hereafter made by citizens of other States, in mines or manufacturing in this State, and capital invested in any other permanent improvement."

Mr. Bartow laid on the table the following resolution, which was taken up, read, and adopted:

Whereas, Certain patriotic citizens of Georgia and South Carolina placed in the service of the State large numbers of their slaves, without remuneration, who were actively and laboriously employed at Fort Pulaski for about two weeks—

Be it resolved by the people of Georgia in Convention assembled, That the Governor be requested to convey to each of the gentlemen who contributed this force, the thanks of this Convention for their patriotic action.

And be it further resolved, That the Governor be also requested and authorized to make a suitable gratuity in money to the slaves thus employed.

Mr. Bartow also offered the following:

"An ordinance concerning officers of the militia"—which was read and laid on the table.

Mr. Singleton laid on the table the following resolution, which was taken up, read, and agreed to:

"*Resolved*, That the Committee on Accounts, at their earliest convenience, make a report providing for the pay of delegates sent by this Convention to Montgomery, and Commissioners sent to the Slaveholding States."

Mr. Whitehead's resolution relative to adjournment, and the re-assembling of this Convention, was taken up and read.

Mr. Whitehead moved to fill the blank therein with the word "*Savannah*." The motion was lost. The word "*Macon*" was also proposed, which was lost. The blank was then filled with the word "*Milledgeville*," and the resolution was adopted.

Mr. Toombs, from the "Committee on Federal Relations," to whom was referred the consideration of appointing a Commissioner from Georgia to Kentucky, reported that the committee recommended the appointment of the Hon. W. C. Daniell to that State.

The report was taken up and agreed to.

Mr. Means offered the following resolution, which was taken up, read, and agreed to:

"*Resolved*, That the Convention signify its purpose to encourage, cherish, and advance, by all legitimate means in their power, all the important home institutions within their limits, whether literary, scientific, mechanical, agricultural, or professional, that they may aid in developing as far as

practicable, the moral and intellectual resources of the State to sustain her present, and advance her future fortunes."

Mr. Glenn, of Fulton, offered the following preamble and resolutions:

Whereas, Information has been communicated to this Convention of the death of the Hon. Charles Murphy, a delegate elect from the county of DeKalb, which occurred at his residence on the morning of the 16th instant.

Be it resolved unanimously, That this Convention do hereby sympathize with the family of the deceased in their sad bereavment, and deeply regret the loss of his services to the State and country.

Resolved, That the Secretary furnish a certified copy of this resolution to the family of the deceased.

The same were taken up, read, and made the special order for the afternoon of this day.

The President laid on the table the following communication from the Hon. Thomas Y. Simons, chairman of the Committee on Engrossed Ordinances and Resolutions of the South Carolina Convention, which was taken up and read:

CHARLESTON, January 22, 1861.

To the Honorable the President of the Convention of the people of Georgia:

SIR:—I have the honor herewith to transmit to you, for the use of the distinguished body over which you preside, printed copies of the following documents, adopted by the people of South Carolina, in convention assembled, to-wit:

1. The declaration of the immediate causes which induce and justify the secession of South Carolina from the Federal Union, and the ordinance of secession.

2. The address of the people of South Carolina, assembled in convention, to the people of the Slaveholding States of the United States.

3. Report on the address of a portion of the members of the General Assembly of Georgia.

4. Reports and resolutions providing for commissioners to the Slaveholding States.

5. The correspondence between the Commissioners of the State of South Carolina to the Government at Washington, and the President of the United States.

The noble position which Georgia has taken in the maintenance of constitutional guarantee and right, has cheered the hearts and nerved the arms of our people in their defence.

In the earnest hope that our respective commonwealths, having cast aside the yoke of a hostile section, and resumed their separate independence, may soon be united with their sisters of the South in a Confederacy having similar institutions to protect, and similar interests to promote, and which may forever stand forth as at once the emblem and the realization of a government of liberty without licence, of law without oppression, and of philanthrophy without fanaticism,

I am, with the highest regard and esteem,

Your obedient servant,

THOMAS Y. SIMONS,

Chairman Committee on Engrossed Ordinances and Resolutions.

The Convention then adjourned till 4 o'clock this afternoon.

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4 o'clock P. M.

Mr. Briscoe, from the committee to obtain the services of a suitable clergyman to officiate by opening the daily sessions of this Convention with prayer, offered for adoption the following resolution:

"*Resolved*, That the thanks of this Convention are due, and are hereby tendered to the Rev. William Flinn and the Rev. H. J. Adams (residents in this city) for their acceptable services to this Convention."

The resolution was taken up, read, and unanimously adopted.

Mr. Hill, of Troup, moved to reconsider so much of the resolution adopted this morning relative to the re-assembling of this Convention at "*Milledgeville*," after the recess.

The President decided that the motion was out of order.

Mr. Hill appealed from the decision of the Chair. The appeal was sustained by the Convention.

Whereupon, Mr. Hill moved to take up the resolution, to strike out "*Milledgeville*" and insert "*Savannah*," upon which motion the yeas and nays were demanded to be recorded.

The yeas are 137. Nays 100, to-wit:

Those who voted in the affirmative are Messrs.

Adams of Camden,
Alexander of Fulton,
Alexander of Upson,
Banks,
Black,
Blalock,
Brewton,
Brown of Houston,
Brown of Marion,
Brown of Webster,
Bullard,
Bush,
Butts,
Calhoun,
Cannon of Wayne,
Cantrell,
Carson,
Casey,
Clarke,
Cleveland,
Cochran of Terrell,
Cody,
Colquitt,
Cox,
Crawford of Richmond,
Davis of Chattahoochee,
Dennis,
Dewberry,
Douglass,
Dozier,
Fain,
Fleming,
Flewellen,
Ford,
Fort of Wayne,
Fouche,
Frier,
Furlow,
Gaulden,
Gardner,
Gholston,
Glenn of Fulton,
Glenn of Oglethorpe,
Glover,
Giles,
Gordon,
Gunn,
Hamilton,
Hargroves,
Harvill,
Harris of Glynn,
Henderson,
Hendry,
Hill of Harris,
Hill of Troup,
Hines,
Hood,
Howell,
Hudson of Harris,
Huggins,
Hust,
Johnson of Hall,
Jones of Burke,
Jones of Chatham,
Kirkland,
Lamb,
Lattimer of Montgomery,
Lindley,
Logan,
Logue,
Lyle,
Mabry of Heard,

McConnell of Catoosa,
McCulloch,
McDowell,
McLane,
McLeod,
Means,
Mershon,
Moore of Bulloch,
Moor of Spalding,
Morrow,
Munnerlyn,
Overstreet,
Patterson,
Phinizy of Monroe,
Phinizy of Richmond,
Pittman,
Pitts,
Pofford,
Porter,
Poullain,
Prescott,
Price,
Ramsey of Clinch,
Ramsey of Muscogee,
Richardson of Lee,
Robinson,
Roddey,
Sherman,
Shell,
Slater,
Skelton,
Simms,
Sirmons,
Smith of Charlton,
Smith of Johnson,
Solomons,
Spencer,
Stapleton,
Starr,
Stephens of Monroe,
Stephens of Pierce,
Strickland of Tatnall,
Teasley,
Thomas of Dooly,
Tidwell,
Tillman,
Tomlinson,
Troup,
Tucker of Colquitt,
Tucker of Laurens,
Turner of Wilcox,
Usry,
Varnadoe,
Whitehead,
Williams of McIntosh,
Williamson,
Willis,
Winn of Cobb,
Wofford,
Wood,
Word,
Wright,
Yopp,
Young of Gordon.
Young of Irwin.

Those who voted in the negative are Messrs.

Adams of Putnam,
Algood,
Arnold,
Bailey,
Beasley,
Beck,
Bell of Forsyth,
Beall of Troup,
Benning,
Bowen,
Briscoe,
Burnett,
Byrd,
Cannon of Rabun,
Chastain,
Cheshier,
Coleman,
Corn,
Crawford of Greene,
Dabney,
Davis of Putnam,
Davenport of Clay,
Day,
Deupree,

Dickerson,
Farnsworth,
Fields,
Fort of Stewart,
Freeman,
Gray,
Graham,
Hale,
Hammond,
Hansell,
Harris of Hancock,
Head,
Herrington,
Hilliard,
Hudson of Gwinnett,
Jackson,
Johnson of Clayton,
Johnson of Jefferson,
Johnson of Oglethorpe,
Kenan,
Killgore,
Kimsey,
Knox,
Lamar of Lincoln,
Lamar of Bibb,
Lester,
Manson,
Martin of Lumpkin,
Martin of Merriwether,
McConnell of Cherokee,
McDaniel,
McRae,
Milton,
Mitchell,
Montgomery,
Mounger,
Neal of Talbot,
Newton.
Nisbet,
Padget,
Paris,
Patrick,
Pickett,
Pierce,
Poe,
Ponder,
Reed,
Reese,
Reynolds,
Rice,
Rowe,
Rutherford,
Saffold,
Sharpe.
Sheffield of Calhoun,
Sheffield of Early,
Shropshire of Chattooga,
Simmons of Gwinnett,
Simmons of Pickens,
Sisk,
Smith of DeKalb,
Smith of Talbot,
Spence,
Street,
Strickland of Forsyth,
Taliaferro,
Trippe,
Walton,
Warner,
Waterhouse,
Webb,
Wellborn,
West,
Whelchel,
Willingham,
Williams of Chattooga,
Williams of Harris,

So the motion prevailed.

Mr. Johnson, from the Committee on Enrolment, reported as duly enrolled, and ready for the signature of the President, the following Ordinances:

An Ordinance to make provisonal arrangements for the continuance of commercial facilities in Georgia.

An Ordinance in relation to the Circuit and District Courts of the United States in the State of Georgia.

An Ordinance to protect investments of Foreign Capital.

All of which were signed by the President, and deposited in the office of the Secretary of State.

Mr. Hill of Troup, offered the following resolution, which was taken up, read, and agreed to:

"*Resolved*, That the delegates to this Convention, from the county of Chatham, be, and they are hereby requested and authorized to make all suitable arrangements for the sittings of this Convention when it shall assemble after the recess in the city of Savannah."

Mr. Clarke of Dougherty, offered the following resolution, which was taken up, read and agreed to.

"*Resolved*, That His Excellency, the Governor, be, and he is hereby authorized to advance to our Commissioners to the several States, and the members of the State to the Montgomery Convention, such sums as, in his discretion may be necessary, and to draw his warrant on the Treasury for the same."

Mr. McLeod of Wilcox, laid on the table a preamble and resolution, which was taken up, read and referred to the Committee on Foreign Relations.

Mr. Glenn of Fulton, offered the following resolution:

Resolved, That His Excellency, the Governor, be, and he is hereby requested to order an election for a delegate from the county of DeKalb, to fill the vacancy occasioned by the death of the Hon. Charles Murphy, deceased, or any other vacancy that may occur after giving ten days notice for said election."

The resolution was taken up, read and adopted.

Mr. Bartow offered the following resolution:

"*Resolved*, That the Messenger and Door Keeper of this Convention be allowed each, eight dollars a day, as their compensation, and that the assistant Door Keeper be allowed two dollars a day while on duty."

"The resolution was taken up, read and adopted.

The special order of the afternoon, to-wit:

The preamble and resolution offered by Mr. Glenn of

Fulton, relative to the death of the Hon. Charles Murphy, a delegate elect, from the county of DeKalb, was taken up, read, and unanimously adopted.

On motion of Mr. Kenan, the Convention then adjourned, subject to the call of the President, or in the event of his resignation or death, to the call of the Governor, in accordance with the resolution adopted this afternoon.

IN SECRET SESSION

AT MILLEDGEVILLE.

THURSDAY, JANUARY 24, 1861.

The Convention met in secret session.

Mr. Bartow, from the Committee on Military Affairs, made the following reports:

First :—

AN ORDINANCE

Concerning Officers of the Army and Navy.

Whereas, certain officers of the Army and Navy of the United States, citizens of the State of Georgia, impelled by patriotic motives, have already resigned their appointments, and tendered their services to the State; and whereas, others desire to make the same tender.

Be it ordained, by the people of Georgia, in Convention assmbled,

That all such officers who have resigned for the purpose aforesaid, or have made such offer, and all those on the active list who may resign and make such tender of service within such time as circumstances may admit, shall be received into the service of the State, and shall be appointed and commissioned by the Governor, to the same relative rank in the Army and Navy of Georgia, which they held under the Government of the United States, and shall receive the same pay from their entrance into service as they were entitled to at the time of their resignations.

Provided, That such commissions shall not extend beyond the time at which a Government of the Southern Seceding States shall be established, and *provided* further, that the Governor of this State shall employ such officers in the ser-

vice to which they may be respectively attached, in such a manner as in his judgment the public exigences may require.

Second:

AN ORDINANCE

To provide for the public defence.

Be it further ordained by the people of the State of Georgia, in Convention assembled,

That the Governor of this State is hereby authorized to raise and equip a regular military force, and to employ the same in such defensive service as the public security in this or neighboring States may demand. Such regular force shall not exceed two regiments of infantry, or infantry and artillery in such proportion as the Governor may direct. The Governor as Commander-in-Chief, shall appoint and commission the necessary officers for these forces, selecting as far as practicable, officers of the United States Army, who may have entered the service of this State, according to their relative rank, but all such commissions may be revoked whenever a Government shall be established by the Southern States to which Georgia shall accede.

And be it further ordained, That for the regulation of all military matters, not otherwise provided for by the laws of this State, the articles of war, and the army regulations declared and established by the United States Government, as lately existing, are hereby adopted as far as applicable to the present condition of this State.

Third:

Resolved, That the Governor be authorized to purchase for the defence of the sea-board of Georgia, two propeller, or other steamers, and two sailing vessels, of light draft, to be armed and manned in such manner as their tonnage and capacity may require.

The reports were severally taken up, read, and made the special order of the day to-morrow.

The Convention then went into open session.

FRIDAY, JANUARY 25, 1861.

The Convention met in Secret Session.

The Journal of yesterday was read.

SPECIAL ORDER.

The special order of the day, to-wit: the Resolutions and Reports of Mr. Bartow from the Committee on Military affairs, were taken up for consideration:

On motion of Mr. Bartow, the Resolution authorizing the Governor to purchase, for the defence of the State, two propeller or other steamers, and two sailing vessels, was taken up, and, on his motion recommitted and amended by inserting the words "or procure," after the word "purchase;" striking out the word "two" and inserting "three;" and striking out the words "and two sailing vessels."

He also moved to amend the same by inserting the following additional Resolution:

Resolved, That the Governor be requested to contract with the Cuba Telegraph Company, for the construction of branch lines from the mainland to Brunswick, and such other place on the coast as may be expedient for the use of the State.

The amendments were received, and the Resolutions as amended were adopted.

Mr. Bartow then moved to take up the Ordinance for the public defence. On his motion the same was recommitted for amendment, when he offered the following, to add to the second section the words:

"The officers and enlisted men raised by this Ordinance shall receive the same pay and emoluments as are provided for similar service by the Laws of the United States."

The amendment was received and the Ordinance was read twice and adopted.

He then moved to take up the Ordinance concerning officers of the Army and Navy, and recommit the same for amendment.

The Ordinance was amended by striking out the first

proviso, to-wit: "*Provided*, That such commissions shall not extend beyond the time at which a Government of the Southern seceding States shall be established.

The amendment was received and the Ordinance having been read twice was adopted.

Mr. Bartow, from the Committee on Military affairs, also reported the following Resolutions, which, on his motion, were taken up, read, and adopted, to-wit:

"*Whereas*, The present attitude of the State of Georgia requires that she should be put immediately in a state of defence, and this military preparation demands prompt action and sound organization, both for efficiency and economy.

Be it Resolved, That the Governor be, and he is hereby empowered to employ such a military staff as may be necessary for effecting an organization, and introducing a sound system of administrative accountability.

Be it further Resolved, That these appointments shall be temporary, until such time as the Southern seceding States shall establish a Government, and provide a Military Establishment for their common defence, and that the officers so appointed shall keep their offices at such points, to be stationed in such manner as the Governor and Commander-in-Chief may direct."

On motion of Mr. Bartow the foregoing Ordinances and Resolutions were ordered to be enrolled, and when signed by the President, to be delivered to the Governor.

The Convention then went into Open Session.

PROCEEDINGS OF THE CONVENTION,

AT SAVANNAH,

In Open Session.

SAVANNAH, GEORGIA,
March 7th, 1861.

The Convention, in accordance with the Proclamation of the President, under its resolution at Milledgeville to take a recess, met this day at the hour of 12 o'clock, M., in this city, and was opened with prayer by the Rev. Mr. Caldwell.

A quorum being present, the journal of its last day's proceedings at Milledgeville was read.

Mr. Hood offered the following resolution:

Resolved, That the President of this Convention do take the following oath: "I do solemnly swear that I will support, maintain, and defend the Constitution of the Provisional Government of the Confederate States of America to the best of my ability, so help me God"—before the Hon. William B. Fleming, Judge of the Superior Courts of the Eastern District; and that, thereupon, the President administer the same oath to each of the members of this Convention, the Secretary and assistant Secretary.

The resolution was taken up, read and disagreed to.

Mr. Smith, of DeKalb, offered the following resolution, which was taken up, read, and adopted.

Resolved, That the name of P. F. Hoyal be enrolled as a

member of this Convention, and that he be allowed to take his seat in the same.

Mr. Saffold offered the following resolution, which was taken up, read and adopted:

Resolved, That the Messenger of the Convention be authorized to distribute, in equal proportion, to each member of the Convention, the printed address of the "Committee of seventeen."

Mr. Hamilton, of Lumpkin offered the following resolution:

Whereas, It will become necessary for the Confederate States of America to select a location for a National Capitol. Be it, therefore,

Resolved, That the Governor of this State be, and he is hereby authorized to furnish, free of charge, any such location that might be made in this State.

The resolution was taken up, read and lost.

Mr. Garvin, from a minority of the Committee on Reduction of the General Assembly, offered the following as a substitute for the previous report of said Committee, to-wit:

AN ORDINANCE

To alter the 3d and 7th sections of the 1st Article of the Constitution of the State of Georgia.

"The Senate shall consist of forty members; four from each Senatorial District. There shall be ten districts arranged as follows:

The *First District* shall be composed of the counties of Appling, Bryan, Bulloch, Chatham, Camden, Charlton, Clinch, Coffee, Effingham, Emannel, Glynn, Liberty, McIntosh, Montgomery, Pierce, Scriven, Telfair, Tatnall, Ware, and Wayne.

The *Second District* shall be composed of the counties of Baker, Berrien, Brooks, Calhoun, Clay, Colquitt, Dooly, Decatur, Dougherty, Early, Echols, Irwin, Lee, Lowndes, Mitchell, Miller, Randolph, Terrell, Thomas, Wilcox, and Worth.

The *Third Disirict* shall be composed of the counties of Chattahoochee, Harris, Muscogee, Marion, Macon, Quitman, Stewart, Sumter, Schley, Taylor, Talbot and Webster.

The *Fourth Distrtct* shall be composed of the counties of Baldwin, Bibb, Crawford, Jones, Jasper, Houston, Laurens, Putnam, Pulaski, Twiggs, and Wilkinson.

The *Fifth District* shall be composed of the counties of Burke, Columbia, Glasscock, Hancock, Jefferson, Johnson, Lincoln, Richmond, Warren, Wilkes, and Washington.

The *Sixth District* shall be composed of the counties of Clarke, Elbert, Franklin, Greene, Hart, Madison, Morgan, Newton, Oglethorpe, Taliaferro, and Walton.

The *Seventh District* shall be composed of the counties of Butts, Clayton, Fayette, Henry, Meriwether, Monroe, Pike, Spalding, Troup, and Upson.

The *Eighth District* shall be composed of the counties of Campbell, Carroll, Cobb, Coweta, DeKalb, Fulton, Haralalson, Heard, Paulding, and Polk.

The *Ninth District* shall be composed of the counties of Banks, Cherokee, Dawson, Forsyth, Gwinnett, Habersham, Hall, Jackson, Lumpkin, Milton, Pickens, Rabun, Towns, Union, and White.

The *Tenth District* shall be composed of the counties of Cass, Catoosa, Chattooga, Dade, Fannin, Floyd, Gordon, Gilmer, Murray, Walker, and Whitfield.

At the first election held under this Ordinance there shall be four Senators elected from each Senatorial District, two of whom shall hold their office for two years, and two for four years, and the first Senators elected for each District, shall be divided into two classes by lot, as soon as the Senate shall convene and organize.

At every subsequent election which shall be held biennially, each district shall elect two Senators, who shall hold their office for four years. After each future enumeration of the inhabitants of the State, made under the Laws and Constitution thereof, the General Assembly, at its next session, may arrange the foregoing Senatorial Districts in such manner as will, as nearly as practicable, give to each an equal representative population.

The House of Representatives shall be elected biennially, and shall consist of one hundred and thirty-two members; each county shall have one representative.

These amendments shall be submitted for ratification to the people of this State, at an election to be holden on the first day of July next, which shall be managed and conducted in the usual manner now established by law. Each voter shall endorse on his ticket the words, "Ratification" or "No Ratification." The managers in each county shall make returns in the manner now prescribed, to His Excellency the Governor, who shall add up all the returns, and by proclamation on or before the first of August next ensuing announce the result. If a majority of votes be given for ratification, the election in October next for members of the General Assembly shall be held according to this amendment, and the Governor shall so announce in his said proclamation.

The report was taken up, and read, and 500 copies ordered to be printed.

Mr. Shropshire, of Floyd, moved to commit the foregoing to the Committee on Reduction, and also, to recommit the original report and substitute to the same Committee.

The motion was agreed to.

Mr. Bell of Forsyth, offered the following resolution:

Resolved, That the people of Georgia in Convention assembled, most heartily approve the election by the Congress at Montgomery, of the Hon. Jefferson Davis to the Presidency, and the Hon. A. H. Stephens to the Vice Presidency of the Provisional Government of the Confederate States of America, the duties of which position their distinguished public services, and acknowledged abilities eminently qualify them to discharge.

The resolution was taken up, read, and unanimously adopted.

On motion of Mr. Crawford of Greene, the Secretary of the Convention was directed to transmit a copy of the foregoing to the Congress of the Confederate States of America.

Mr. Johnson of Clayton, offered the following resolution, which was taken up, read, and agreed to.

Resolved, That Reporters of newspapers be allowed seats on the floor of this Convention, when in open session, and that the Door Keeper and Messenger provide seats for the same.

Mr. Tidwell offered the following resolution, which was taken up, read, and agreed to :

Resolved, That Dr. P. F. Hoyal, a delegate elect, from the county of DeKalb, to fill the vacancy occasioned by the death of the Hon. Charles Murphy, be allowed to sign the Ordinance of Secession, as a delegate from said county of DeKalb.

The President laid upon the table communications from the Governor of New York, in reference to the resolution of this Convention in relation to the seizure of Fort Pulaski, and from the Governors of Maryland and Alabama, acknowledging the receipt of a copy of the Ordinance of Secession of this State, which were read by the Secretary.

The President also laid upon the table communications from Dr. Wm. C. Daniell, the Commissioner from this State to the State of Kentucky ; and from D. C. Campbell, Esq., the Commissioner from this State to the State of Delaware ; which were read by the Secretary.

The Convention then adjourned till 11 o'clock, to-morrow morning.

FRIDAY, MARCH 8, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Landram.

A quorum being present, the journal of yesterday was read.

Mr. Crawford, of Greene, offered the following preamble and resolution, which were read:

Whereas, During her connection with the late United

States, the State of Georgia was dependent upon the Northern States for her school books, and this dependence still continues; and whereas, it is important that, in all matters pertaining to education, the South should be independent of her late confederates. Therefore, to aid in effecting this desirable object—

Be it resolved by the Convention of the people of Georgia, That His Excellency, the Governor, be requested to offer a prize of five hundred dollars each for the following works, to be written or compiled by citizens resident in the Confederate States of America, viz: A Spelling Book for the use of Common Schools; an Arithmetic; an English Grammar; a Geography, and two Reading Books, one for beginners, and one for more advanced scholars; the prize to be awarded by a committee appointed by the Governor, and the books selected to be published and printed within the Confederacy, and the copy right to be owned or disposed of by the authors or compilers of the several books.

Mr. Robertson, of Wilkes, offered the following resolution, which was read:

Resolved, That the Governor be requested to communicate to the Convention what provision he has made for the defence of the State against invasion; the number and character of the arms distributed, and at what points, and the amount which has been expended for the same.

Mr. Benning offered the following propositions as a substitute for the *third* and *seventh* sections of the *first* article of the Constitution of Georgia:

The Senate shall consist of thirty-two members; four for each Congressional district, as it shall exist at the time of their election. Each Congressional district shall, by its elections biennially on the first Wednesday in October next, elect its four members in the mode prescribed by the present law, until that law may be changed by the Legislature.

The House of Representatives shall consist of sixty-four members, eight for each Congressional district, as it shall exist at the time of their election. Each Congressional district shall, by its electors, biennially, on the first Wednesday of October, elect its eight members, in the mode pre-

scribed by the present law, until that mode may be changed by the Legislature.

And on Mr. Benning's motion the same was referred to the "Committee on the Reduction of the General Assembly."

Mr. Rice, of Cobb, offered the following resolution which was taken up and read:

Resolved, That a committee of *seven* be appointed to examine into the condition of the defences of the city of Savannah and its approaches; to inquire what additional defence, if any, may be necessary, and to report to the Convention at the earliest possible day.

Mr. Styles moved to lay the same upon the table for the balance of the session—pending which,

On motion of Mr. Varnadoe, the resolution was laid on the table for the present.

Mr. Hood laid on the table the following ordinance, which was read, and, on his motion, was referred to the "Committee on the Constitution of the State, and the Constitution and Laws of the United States:"

AN ORDINANCE

In relation to citizens of Georgia holding offices under the Government of the late United States.

1st. *Be it ordained by the people of Georgia in Convention assembled*,

That from and after the passage of this ordinance, any person who now resides in Georgia, or who was at the date of his appointment a citizen of Georgia, or who received his appointment as a citizen of Georgia, and who now holds any office or appointment under the Government of the late United States, either civil or military, of honor or profit, (other than persons connected with the postal service, and who actually reside in, and perform the service within the limits of the State,) and who shall not resign the office or appointment so held within ten days after a knowledge of the passage of this ordinance, shall forfeit his citizenship, and shall never hereafter be a citizen of this State.

2nd. *Be it further ordained*, That in the event of a hostile demonstration by the Government of the late United States against the Confederate States of America, or any one of them, then, and in that event, all property or estate, real or personal, belonging to any such officer, civil or military, who shall have continued to adhere to the said government of the United States, after notice as herein before provided for, shall forever forfeit all of his said estate, real or personal, to the State of Georgia; the said property to be forfeited and confiscated in any county in which the said property, or any portion of it, may be situate—the same to be forfeited in an action in the nature of an information—one half thereof to the State, and the other half to the informer.

3rd. *Be it further ordained*, That in the event no person shall make information thereof, it shall be the duty of the Grand Jury of the county to enquire into the matter, and require the Attorney or Solicitor General of the circuit to prosecute the same to judgment, and, in that event, one half thereof shall go to the county, and the other half to the State.

4th. *Be it further ordained*, That should the question of notice as prescribed for in the first section of this ordinance arise, it shall not be necessary to prove actual notice to the said officer, but it shall be held and construed to mean ten days after reasonable time shall have elapsed to receive such information by due course of mail.

Mr. Styles offered the following resolution, which was taken up and read:

Resolved, That the Secretary be instructed to appoint a page for the convenience of this Convention.

Mr. Fouche moved to insert "*two pages*" instead of "*a page*."

The motion was lost.

The motion to adopt the resolution was also lost.

The ordinance offered by Mr. Fleming "to alter and amend the first section of the third article of the Constitution of

Georgia," was taken up, and, on motion of Mr. Ramsey, was referred to the "Committee on the Constitution and Laws of the State, and the Constitution of the United States."

The report of Mr. Clarke, from the "Committee on the Constitution and Laws of the State, and the Constitution of the United States," to-wit: A preamble and resolutions in relation to reprisals—was taken up, and recommitted to the same committee.

The report of Mr. Cobb, from the Commmittee on the "Constitution and Laws of the State, and the Constitution of the United States," to-wit: The "Bill of Rights"—was taken up, and, on motion, was postponed for the present.

Mr. Anderson's preamble and resolutions in relation to "Direct Trade," was taken up, and on motion of Mr. Styles, was postponed for the present.

Leave of absence was granted to Messrs. Porter, Bailey, and Wofford for a few days.

On motion of Mr. Rice, the Convention then went into secret session, and having spent some time therein, the Convention adjourned till eleven o'clock to-morrow morning.

SATURDAY, MARCH 9, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Crawford.

A quorum being present the journal was read.

On motion, the journal of yesterday when in secret session, was read, secrecy having been removed from the proceedings of the Convention of that day.

The President announced the following committee in accordance with the resolution of Mr. Rice adopted on yesterday relative to the defence of Savannah, and its approaches, to-wit:

Messrs. Rice, Varnadoe, Burnett, Gaulden, Williams, of McIntosh, Giles, and Alexander, of Upson.

The President laid on the table a communication from Messrs. Toombs, Nisbet, Stephens, Bartow, Hill, and Cobb, delegates to the Congress at Montgomery, and members of this Convention explanatory of their absence.

He also laid on the table a communication from General John W. A. Sanford, Commissioner from Georgia to Texas, which, was read, and on motion of Mr. Alexander, of Upson, was laid on the table.

Mr. Varnadoe offered the following preamble and resolution, which were taken up and read:

Whereas, General David E. Twiggs, late of the United States Army, actuated by a sense of duty and patriotism, and in obedience to the allegiance due his native State, delivered upon demand to the regularly constituted authorities of the independent State of Texas, all the property of the late United States Government under his control, and ordered its troops beyond the borders of said State.

Resolved, That this Convention indorse, approve, and ratify his conduct in the premises, and recognize in him a brave and honorable scldier, and a worthy and patriotic son of Georgia.

Mr. Alexander, of Upson, offered the following amendment to the foregoing:

Resolved, That neither General Twiggs, nor Colonel Hardee, requires any vindication among their old friends and neighbors in Georgia. Their defence may be found written by the point of the sword upon the battle-fields of their country, and upon the scarred forms of her enemies; yet this Convention but yields to a natural impulse when it expresses the scorn with which the people of Georgia look upon all attempts on the part of an abolition press, and a venal and fanatical government to tarnish their fame, and to filch from them the rewards of long lives of glorious deeds and heroic doings.

The amendment was received, and the resolution, as amended, was unanimously adopted.

Mr. Tidwell, from the Committee on Military Affairs, made the following report:

Whereas, by an ordinance passed by this Convention, Officers of the Army and Navy of the late United States, were to be received upon their resignation, into the Army of Georgia, with the same rank and pay. In conformity with this ordinance, Major Myers, a Paymaster in the Navy of the late United States, was appointed Paymaster by the Governor, and transferred to the Pay Department of the Army of Georgia:

And whereas, by an Act passed by the Congress of the Confederate States, organizing the Staff of the Army, no mention is made of Paymasters; Quarter-masters, by this act, are to do the duties of Paymasters. We, therefore, recommend Major Myers for the position of Quarter master in the Army of the Confederate States, with the rank as held by him in the Army of Georgia; and that the Secretary of this Convention be instructed to forward a copy of this recommendation to the Secretary of War.

The report was taken up, read and adopted.

Mr. Tidwell offered the following resolution, which was taken up and read:

Resolved, That the thanks of this Convention, are due and hereby tendered to R. R. Cuyler, the President of the Central Railroad, together with the Directors thereof, for their kindness and liberality in presenting to the delegates and officers of this Convention, free tickets over said road, to and from the city. Also to the city authorities for their liberality and kindness in furnishing the Convention with the large and comfortable Hall which it now occupies.

Resolved, That said President and Directors, with the Mayor and Aldermen of the city of Savannah, be invited to seats in this Convention.

Resolved, That the Secretary give to the said President and Mayor notice of these resolutions.

Various amendments to the same were offered by Messrs. Hood, Garvin, and Gaulden, pending the consideration of which, on motion, the resolutions and amendments were referred to a committee of five to report thereon, to-wit:

Messrs. Tidwell,
Garvin,
Hood,
Gaulden and
Martin of Elbert.

The resolution of Mr. Crawford, of Greene, laid on the table on yesterday, relative to school books of the Confederate States of America, was taken up and read.

Mr. Fouche offered the following as a substitute for the same, to-wit:

Whereas, the frequent change of text-books in our schools, is not only a source of great and unneccessary expense to the people of this State, but has a manifest tendency to retard the progress of pupils in acquiring the elements of a sound and practical education; and has afforded the means to the enemies of our institutions, of driving a profitable trade in books, which are often made the vehicles for imposing upon the unsuspecting and untrained minds of the young, their absurd theories and dogmas upon the subject of African equality, and the sinfulness of African slavery—therefore,

Be it resolved by the people of Georgia in Convention assembled,

1st. That a Board of Commissioners to consist of seven members, be appointed by the Governor, with the advice and consent of two-thirds of the Senate, at the next session of the General Assembly of this State, whose duty it shall be to select, compile, or compose, a complete series of text books, in every department of literature and science, which upon being examined and approved by the Governor and two-thirds of the Senate, shall be adopted as text books in all the Schools, Academies, and Colleges in this State.

2d. That no teacher in this State, shall be entitled to

participate in any public fund now existing, or hereafter to be raised in this State, or any county thereof, for educational purposes, unless said teacher shall have adopted and used the text books provided for in the foregoing resolution.

3rd, That a copy of this Preamble and Resolutions be sent to his Excellency the Governor, with a request to bring the the same to the attention of the General Assembly at the opening of its next session, in order that the proper steps may be taken by that body for carrying into effect the measures herein set forth.

On motion of Mr. Crawford of Greene, the foregoing substitute and original Preamble and Resolutions, were referred to a Committee of seven, to report thereon, to-wit:

Messrs. Crawford of Greene,
Fouche,
Means,
Munnerlyn,
Rice,
Hull, and
Saffold.

Mr. Wofford offered the following Preamble and Resolutions, which were taken up, read, and adopted:

Whereas, Under the Government of the United States prior to the secession of Georgia there has been annually paid to the Pensioners resident in said State a sum of money amounting to about twenty-three thousand dollars:

1st, *Resolved*, That this Convention urge the Congress of the Confederate States to make immediate provision for the payment of the Pensioners resident in this State, the amounts heretofore allowed them by the Government of the United States.

2nd, *Resolved*, That the Secretary communicate the above to the Congress of the Confederate States.

Mr. Shropshire of Floyd, from the Committee on Reduction of the General Assembly of this State, to whom was committed, and recommitted, all the measures proposed in the Convention for that purpose, reported the following:

AN ORDINANCE

To alter and amend the 3rd, 4th, 7th, and 8th Sections of the 1st Article of the Constitution of the State of Georgia, and for other purposes.

1st, *Be it Ordained, by the People of Georgia, in Convention assembled, and it is hereby Ordained and Declared, by the authority of the same,*

That from and after the adoption of this Ordinance, the *third* Section of the first Article of the Constitution of this State, shall be so altered and amended, as to read as follows, to-wit:

Each Congressional District in this State shall be known as a Senatorial District, by the same number which designates it as a Congressional District. The Senate of Georgia shall be composed of forty Senators and no more; five to be chosen from each of said Districts by the legally qualified voters thereof, biennially, on the first Wednesday in October, until the day of election is altered by law.

2nd, *Be it further Ordained, by the authority aforesaid,* That the fourth Section of the first Article of the Constitution of Georgia shall be so altered and amended as to read as follows, to-wit:

No person shall be a Senator who shall not have attained to the age of twenty-five years, and been five years a citizen of this State, and shall have usually resided within the district from which he shall be returned, at least one year immediately preceding his election, except persons who have been absent on lawful business of this State, or of the Confederate States of America.

3rd, *Be it further Ordained,* That the seventh Section of the first Article of the Constitution of this State shall be so altered and amended, as to read as follows, to-wit:

The House of Representatives shall be composed of eighty-five members, and no more. Eleven from the first Congressional District; thirteen from the second District; ten from the third District; eleven from the fourth District; twelve from the fifth District; ten from the sixth District; nine from the seventh District; and nine from the

eighth District. Said members to be elected, biennially, by the legally qualified voters of each District, respectively, on the first Wednesday in October, until the day of election is altered by law.

4th, *Be it further Ordained*, That the eighth Section of the first Article of the Constitution of this State be so altered and amended as to read as follows, to-wit:

No person shall be a Representative who shall not have attained the age of twenty-one years, and have been a citizen of the State of Georgia five years, and have usually resided in the District in which he shall be chosen one year immediately preceding his election, unless he shall have been absent on the public business of this State, or of the Confederate States of America.

5th, *Be it further Ordained*, That the foregoing alterations and amendments shall not be so construed as to vacate the commission of any member of the present General Assembly of Georgia.

The Report was taken up and read, when Mr. Shropshire of Floyd moved to print 500 copies of the same for the use of the Convention.

Mr. Hansell moved to lay the Report on the table till the 25th day of December next.

Upon which motion a discussion ensued, pending which, on motion of Mr. Hansell, the Convention adjourned till eleven o'clock Monday morning.

MONDAY, MARCH 11, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Clarke.

A quorum being present, the journal was read.

The unfinished business of Saturrday, to-wit: the consideration of Mr. Harvell's motion to lay upon the table, until the 25th day of December next, the report of Mr. Shropshire of Floyd, from the "Committee on Reduction

of the General Assembly," was taken up and discussed; when the question being put,

On motion of Mr. Fouche, the yeas and nays were demanded to be recorded, on agreeing to the motion, and are yeas 54, nays 206, to-wit:

Those who voted in the affirmative are Messrs.:

Adams of Camden,
Bozeman,
Brewton,
Cannon of Rabun,
Cannon of Wayne,
Carswell,
Cochran of Wilkinson,
Corn,
Fain,
Farnsworth,
Fitzpatrick,
Fort of Wayne,
Frier,
Gaulden,
Gholston,
Hall,
Hammond,
Hansell,
Harris of Glynn,
Harris of McIntosh,
Henderson,
Hendry,
Herrington,
Huggins,
Jones of Chatham,
Kimsey,
Lamb,
Lattimer of Appling,
Lattimer of Montgomery,
Low,
Mabry of Berrien,
McDonald,
McGriff,
McRae,
Mershon,
Mounger,
Pickett,
Prescott,
Pruett,
Ramsey of Clinch,
Ramsey of Muscogee,
Rice,
Richardson of Twiggs,
Sirmons,
Sisk,
Stephens of Hancock,
Stephens of Pierce,
Strickland of Tatnall,
Styles,
Tomlinson,
Tucker of Colquitt,
Usry,
Williams of McIntosh,
Young of Irwin.

Those who voted in the negative are Messrs.:

Adams of Putnam,
Alexander of Fulton,
Alexander of Upson,
Algood,
Allen,
Anderson,
Arnold,
Banks,
Bell of Banks,
Beall of Forsyth,
Beall of Troup,
Benning,
Black,
Bowen,
Briggs,
Briscoe,
Brown of Marion,
Brown of Webster,
Bryan,
Burch,

Bush,
Byrd,
Calhoun,
Cantrell,
Carson,
Casey,
Cheshier,
Clarke,
Cleveland,
Cochran of Terrell,
Cody,
Coleman,
Collins,
Colquitt,
Cox,
Crawford of Greene,
Dabney,
Daniel,
Davis of Chattahoochee,
Davis of Putnam,
Davenport of Clay,
Day,
Dennis,
Deupree,
Dewberry,
Dickerson,
Douglass,
Dozier,
Fleming,
Flewellen,
Fields,
Ford,
Fort of Stewart,
Fouche,
Freeman,
French,
Furlow,
Gardner,
Garvin,
Gee,
Glenn of Fulton,
Glenn of Oglethorpe,
Glover,
Giles,
Gordon,
Graham,
Gresham,
Gunn,
Hale,
Hamilton,
Hargroves,
Harville,
Harris of Hancock,
Harris of Merriwether,
Harvey,
Hawkins,
Head,
Hendricks,
Hill of Hart,
Hilliard,
Hines,
Hood,
Hoyal,
Hudson of Gwinnett,
Hudson of Harris,
Hull,
Hust,
Jennings,
Johnson of Clayton,
Johnson of Hall,
Johnson of Jefferson,
Johnson of Oglethorpe,
Jones of Burke,
Jordan,
Kenan,
Ketchum,
Killgore,
Kirkland,
Knox,
Lamar of Lincoln,
Lester,
Lindley,
Logan,
Long,
Lyle,
Mabry of Heard,
Mallary,
Marshall,
Martin of Elbert,
Martin of Lumpkin,
Martin of Meriwether,
McConnell of Catoosa,
McConnell of Cherokee,
McCulloch,
McDaniel,
McLain,

Means,
Milton,
Mitchell,
Moore of Bulloch,
Moor of Spalding,
Montgomery,
Morrow,
Munnerlyn,
Neal of Columbia,
Neal of Talbot,
Newton,
Overstreet,
Padget,
Pariss,
Patterson,
Patrick,
Perkins,
Phinizy of Monroe,
Phinizy of Richmond,
Pierce,
Pinson,
Pittman,
Poe,
Pofford,
Ponder,
Poullain,
Price,
Reed,
Reese,
Reynolds,
Richardson of Lee,
Robinson,
Roddey,
Rutherford,
Saffold,
Sharman,
Sharpe,
Sheffield of Calhoun,
Sheffield of Early,
Shropshire of Chattooga,
Shropshire of Floyd,
Slater,
Skelton,
Simmons of Pickens,
Simms,
Singleton,
Smith of DeKalb,
Smith of Johnson,
Smith of Talbot,
Solomons,
Spencer,
Spence,
Stapleton,
Starr,
Stephens of Monroe,
Street,
Strickland of Forsyth,
Taliaferro,
Teasley,
Thomas of Dooly,
Thomas of Whitfield,
Tidwell,
Trippe,
Troup,
Tucker of Laurens,
Turner of Hancock,
Turner of Wilcox,
Varnadoe,
Walton,
Warner.
Waterhouse,
Webb,
Wellborn,
West,
Welchel,
Whitehead,
Wicker,
Willingham,
Williams of Chattooga,
Williams of Harris,
Williamson,
Willis,
Winn of Cobb,
Winn of Gwinnett,
Wood,
Word,
Wright,
Yates,
Yopp.
Young of Gordon.

So the motion was lost.

Leave of absence was granted to Messrs. Robertson, of

Wilkes, Burnett, of Clay, Ellington, of Quitman, and Buchanan, of Early.

The Convention then adjourned till eleven o'clock, tomorrow morning.

TUESDAY, MARCH 12, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Porter.

A quorum being present, the journal was read.

The President laid upon the table a communication from the Hon. Charles C. Jones, Mayor of the City of Savannah, and from Col. A. R. Lawton, Commanding at Fort Pulaski, inviting this body to visit that Fort, and advising it that a steamer was provided for that purpose.

The communications on motion of Mr. Whitehead, were taken up and read, when Mr. Alexander, of Upson, offered the following resolution:

Resolved, That this Convention accept the invitations of the city authorities of Savannah, and of Col. Lawton, in command at Fort Pulaski, to visit that Fort, and that the Convention would indicate Thursday next at 9 o'clock A. M. as the time for said visit.

Resolved, That the Secretary of this Convention communicate this acceptance to the city authorities, and to Col. Lawton.

Mr. Fouche offered the following ordinance which was read:

AN ORDINANCE

To transfer to the Government of the Confederate States of America, the occupancy and use of the Forts and Arsenals in this State, and also to turn over to said Government, the arms and munitions of war, found in said Forts and Arsenals at the time of their occupancy by the authorities of this State, and for other purposes.

SECTION 1st. *Be it ordained by the people of Georgia, in*

Convention assembled, That the direction and management of all military affairs in this State, looking to the common defence of this State, and the other States of the Confederate States of America, against any attack upon them, or any of them, by any foreign power, shall be and is hereby transferred to the Government of the Confederate States of America.

SEC. 2d. *Be it further ordained*, That the Governor of this State be, and he is hereby authorized and directed to transfer to the Government of the Confederate States of Amerial all arms and munitions of war, acquired from the late United States, in the Forts and Arsenals in this State, together with the possession, occupany, and use of said Forts and Arsenals and their appurtenances; and he is hereby further authorized to make the same disposition of any arms or munitions of war belonging to this State, muskets, rifles, and other small arms excepted, taking proper vouchers for all the said arms, munitions of war, and other property so transferred.

Messrs. Styles, Spencer, Benning, and Hudson, severally laid upon the table amendments to the report of the Committee on Reduction of the General Assembly, which were read.

Mr. Styles laid on the table the following ordinance and and resolution, which were read:

AN ORDINANCE

To appropriate money for the use of the Confederate States of America.

SECTION 1st. *Be it ordained by the people of Georgia in Convention assembled, and it is hereby ordained by the authority of the same*, That his Excellency the Governor, be and he is hereby authorized and required to tender to the Government of the Confederate States of America, the sum of five hundred thousand dollars to be placed in the Treasury of said Government as a common fund for such purposes as circumstances and the exigencies of the times may demand.

SEC. 2d. *Be it further ordained*, That for the purpose of carrying out the foregoing section, his Excellency be further authorized to issue the bonds of the State in such sums and payable at such time as he shall deem most expedient, bearing seven per centum interest, payable annually.

Resolved, That his Excellency the Governor, be and he is hereby authorized and instructed to furnish side arms to all officers of Military Companies, who have or who may hereafter draw arms from the State.

Mr. Styles offered the following resolution which was read, and laid on the table.

Resolved, That all the plans for the reduction of the Legislature, be printed and referred to the people, and that we recommend that a Convention be held on the 4th day of July next, to consider the same.

Mr. Warner offered the following resolution, which was taken up, read, and laid on the table.

Resolved, That the various propositions reported for the reduction of the members of the Legislature, be recommitted to the committee with instructions to report the substitute offered by the delegate from Richmond, for the majority report of the committee.

The regular order of the day, to-wit: the unfinished business of yesterday, being the report of the Committee on Reduction, was taken up, the question being on Mr. Shropshire's, (of Floyd) motion, to print 500 copies of the same.

The motion was withdrawn, when Mr. Johnson, of Clayton, offered the following resolution:

Resolved, That the question of reduction of the General Assembly, be made the special order for to-morrow, 12 o'clock. M., and that 300 copies of the report of the committee, and the substitute to the same, together with all the amendments, be printed for the use of the Convention.

The resolution was read.

The report of the committee was then taken up by sections.

The first section having been read, Mr. Garvin moved to amend the same, by striking out all after the words "*no more*," and inserting the following:

Four from each Senatorial District. There shall be ten districts, arranged as follows:

THE FIRST DISTRICT shall be composed of the counties of Appling, Bryan, Bulloch, Chatham, Camden, Charlton, Clinch, Coffee, Effingham, Emanuel, Glynn, Liberty, McIntosh, Montgomery, Pierce, Screven, Telfair, Tatnall, Ware, and Wayne.

THE SECOND DISTRICT shall be composed of the counties of Baker, Berrien, Brooks, Calhoun, Clay, Colquitt, Dooly, Decatur, Dougherty, Early, Echols, Irwin, Lee, Lowndes, Mitchell, Miller, Randolph, Terrell, Thomas, Wilcox, and Worth.

THE THIRD DISTRICT shall be composed of the counties of Chattahoochee, Harris, Muscogee, Marion, Macon, Quitman, Stewart, Sumter, Schley, Taylor, Talbot, and Webster.

THE FOURTH DISTRICT shall be composed of the counties of Baldwin, Bibb, Crawford, Jones, Jasper, Houston, Laurens, Putnam, Pulaski, Twiggs, and Wilkinson.

THE FIFTH DISTRICT shall be composed of the counties of Burke, Columbia, Glasscock, Hancock, Jefferson, Johnson, Lincoln, Richmond, Warren, Wilkes, and Washington.

THE SIXTH DISTRICT shall be composed of the counties of Clark, Elbert, Franklin, Green, Hart, Madison, Morgan, Newton, Oglethorpe, Taliaferro, and Walton.

THE SEVENTH DISTRICT shall be composed of the counties of Butts, Clayton, Fayette, Henry, Merriwether, Monroe, Pike, Spalding, Troup, and Upson.

THE EIGHTH DISTRICT shall be composed of the counties of Campbell, Carroll, Cobb, Coweta, DeKalb, Fulton, Haralson, Heard, Paulding, and Polk.

THE NINTH DISTRICT shall be composed of the counties of Banks, Cherokee, Dawson, Forsyth, Gwinnett, Habersham, Hall, Jackson, Lumpkin, Milton, Pickens, Rabun, Towns, Union, and White.

THE TENTH DISTRICT shall be composed of the counties of Cass, Catoosa, Chattooga, Dade, Fannin, Floyd, Gordon, Gilmer, Murray, Walker, and Whitfield.

At the first election held under this ordinance, there shall be four Senators elected from each Senatorial District, two of whom shall hold their office for two years, and two for four years; and the first Senator elected for each district, shall be divided into two classes by lot, as soon as the Senate shall convene and organize. At every subsequent election which shall be held biennially, each district shall elect two Senators who shall hold their office for four years. After each future enumeration of the inhabitants of the State, made under the laws and constitution thereof, the General Assembly, at its next session, may re-arrange the foregoing Senatorial Districts in such manner as will, as nearly as practicable, give to each an equal representative population.

Mr. Clarke offered as an amendment and substitute for both, the following:

The Senate shall consist of forty-four members, and the State shall be divided into twenty-two Senatorial Districts, each of which shall consist of six contiguous counties, to be arranged by the General Assembly, and be entitled to two Senators, both of whom shall not be chosen from any one county. When a new county is organized, it shall, by the General Assembly be added to some district which it may adjoin, and in such event, such district may consist of more than six counties. If the act organizing any county shall be repealed, the district which embraced said county may contain less than six counties.

Mr. Johnson, of Hall, introduced a resolution that the several plans for the reduction of the Legislature, be laid on the table for the present, but before the decision of which, a motion to adjourn was offered and carried; accordingly, after granting leave of absence to Mr. Anderson of Chatham, the Convention adjourned till 10 o'clock to-morrow morning.

WEDNESDAY, MARCH 13, 1861.

The Convention met persuant to adjournment, and was opened with prayer by the Rev. Dr. Rosenfeld.

A quorum being present, the Journal was read.

Mr. Robinson of Macon offered the following Resolution:

Resolved, That no delegate of the Convention shall be allowed to draw his *per diem* pay for the day the Convention visits Fort Pulaski.

The Resolution was read.

On motion of Mr. Fouche, the Ordinance introduced by him on yesterday, "To transfer to the Government of the Confederate States of America, the occupancy and use of the Forts and Arsenals in this State, and also to turn over to said Government the arms and munitions of war found in said Forts and Arsenals at the time of their occupancy by the authorities of this State, and for other purposes," was referred to the Committee on Military Affairs.

Mr. Tidwell, from the Special Committee of seven, made the following

REPORT:

The Special Committee to whom was referred the original Resolutions, together with the several amendments, tendering the thanks of the Convention to the President and Directors of the Central and other Rail Road Companies; and also to the city authorities of Savannah, for their kindness and liberality to the Convention, beg leave to offer for the consideration of the Convention, the following Resolutions, as a substitute, and in lieu of said original and amendments:

Resolved, That the thanks of this Convention are due and hereby tendered to the Presidents and Directors of the Central, South-Western, Savannah & Augusta, Atlantic & Gulf, and the Savannah, Albany & Gulf Railroads, for their kindness and liberality in passing all the delegates and officers of this Convention who traveled over their respective roads, free of charge, and to the officers of the Savannah, Albany & Gulf and Atlantic & Gulf Railroad, for

their liberality in returning delegates, free of charge, from the late session of this Convention at Milledgeville. Also, to the Mayor and Aldermen of the city of Savannah, for furnishing the Convention, free of charge, with a large and comfortable Hall.

Your committee cannot, although not specially charged with the duty, withhold an expression of their gratitude to the officers of those Railroads who have so generously and patriotically passed recruits to the army over their roads, *free of charge*, or for a mere nominal sum. Such acts of patriotism extended to those who make a voluntary tender of their services and offer their lives, (if necessary,) in defense of an insulted, injured, and oppressed people—should have a place in the history of the country, as well as entitle such companies to the confidence and support of a generous people.

Resolved, That the Presidents, Directors and Superintendents of said Railroads, together with the Mayor and Aldermen of the city of Savannah, be, and they are hereby invited to seats in this Convention, when not in secret session.

Resolved, That the Secretary give notice of these Resolutions to the Presidents of said roads, and the Mayor of the city.

On motion of Mr. Tidwell, the rule was suspended, and the Report was taken up, read, and adopted.

The President laid upon the table a telegraphic dispatch from the Hon. Howell Cobb, President of the Congress of the Confederate States of America, dated at Montgomery, the 12th instant, in which he advised the President of this Convention, that he had mailed to him a copy of the Constitution; which was taken up and read.

On motion of Mr. Reese, the rule was suspended, when he introduced the following Resolution, which was taken up, read, and adopted:

Resolved, That the Committee on Printing be, and they are hereby instructed, so soon as an authenticated copy of the permanent Constitution adopted by the Congress at Montgomery, shall be received by the President of this

Convention, to have 500 copies of the same printed for the use of the Convention.

The Resolution of Mr. Johnson of Hall, to lay all matters in relation to Reduction, on the table, being first in order, was taken up and the Resolution was lost.

The amendment of Mr. Clarke to Mr. Garvin's amendment of the first section of the Ordinance reported by the Committee on Reduction, and substitute for both the amendment and original, being next in order, was taken up.

Mr. Clarke moved for a division of the subject matter of his amendment and substitute, to-wit: to strike out for the present in his proposition, the words "to be arranged by the General Assembly," and to consider first the remainder of his amendment.

The motion to "strike out" and divide prevailed.

Mr. Chastain moved to strike out "twenty-two"—the number of Senatorial Districts proposed—and insert "forty-four."

Mr. Stapleton moved to divide that motion—first to put the question upon striking out; and second, upon inserting.

The motion prevailed.

And the motion to "strike out" twenty-two, the number of Senatorial Districts, also prevailed.

Mr. Chastain moved to fill the blank with "forty-four," as the number of Senatorial Districts.

The motion prevailed.

The amendment and substitute was further amended by striking out the word "six," wherever it occurred, and inserting "three;" also to strike out "two Senators," and insert "one Senator."

The question then came up on the adoption of the amendment and substitute, when the yeas and nays were demanded to be recorded.

There are yeas 173, nays 100, to-wit:

Those who voted in the affirmative, are Messrs.

Adams of Camden,	Banks,
Alexander of Upson,	Bartow,
Algood,	Beasley,
Allen,	Bell of Banks,

Black,
Bowen,
Bozeman,
Brewton,
Briggs,
Briscoe,
Brown of Houston,
Brown of Webster,
Bryan,
Bush,
Butts,
Cannon of Rabun,
Cannon of Wayne,
Carson,
Carswell,
Chastain,
Cheshier,
Clarke,
Cleaveland,
Cochran of Terrell,
Cochran of Wilkinson,
Coleman,
Colquitt,
Corn,
Cox,
Daniel,
Davis of Chattaoochee,
Davenport of Clay,
Davenport of Sumter,
Day,
Dennis,
Deupree,
Douglass,
Dozier,
Fain,
Farnsworth,
Fleming,
Flewellen,
Fields,
Fitzpatrick,
Ford,
Fort of Stewart,
Fort of Wayne,
Frier,
French,
Furlow,
Gaulden,
Gardner,
Gee,
Gholston,
Giles,
Gordon,
Gunn,
Hale,
Hall,
Hammond,
Hansell,
Harvill,
Harris of Glynn,
Harris of McIntosh,
Hawkins,
Henderson,
Hendry,
Hendricks,
Herrington,
Hill of Hart,
Hilliard,
Hines,
Hoyal,
Hood,
Howell,
Hudson of Gwinnett,
Huggins,
Hust,
Jackson,
Johnson of Clayton,
Johnson of Jefferson,
Jones of Chatham,
Jordan,
Kimsey,
Kirkland,
Lamb,
Lattimer of Appling,
Lattimer of Montgomery,
Lester,
Logue,
Lyle,
Mabry of Berrien,
Mallary,
Marshall,
Martin of Elbert,
McConnell of Catoosa,
McConnell of Cherokee,
McCulloch,
McDonald,
McGriff,

McLain,
McLeod,
McRae,
Mershon,
Milton,
Mitchell,
Moore of Bulloch,
Morrow,
Mounger,
Munnerlyn,
Overstreet,
Padget,
Paris,
Patterson,
Pickett,
Pitts,
Pofford,
Ponder,
Porter,
Prescott,
Price,
Pruett,
Ramsey of Clinch,
Reed,
Richardson of Lee,
Richardson of Twiggs,
Robinson,
Roddey,
Rutherford,
Sheffield of Calhoun,
Sheffield of Early,
Slater,
Skelton,
Simmons of Pickens,
Simms,
Sirmons,
Sisk,
Smith of Charlton,
Smith of Johnson,
Smith of Talbot,
Solomons,
Spencer,
Stapleton,
Stephens of Monroe,
Stephens of Pierce,
Strickland of Tatnall,
Styles,
Taliaferro,
Teasley,
Thomas of Dooly,
Tillman,
Tomlinson,
Troup.
Tucker of Colquitt,
Tucker of Laurens,
Turner of Wilcox,
Usry,
Webb,
Wellborn,
West,
Whelchel,
Whitehead,
Williams of McIntosh,
Williamson,
Winn of Cobb,
Winn of Gwinnett,
Yates,
Yopp,
Young of Irwin.

Those who voted in the negative are Messrs.

Adams of Putnam,
Alexander of Fulton,
Arnold,
Bell of Forsyth,
Beall of Troup,
Benning,
Brown of Marion,
Burch,
Byrd,
Calhoun,
Casey,
Collins,
Crawford of Greene,
Crawford of Richmond,
Dabney,
Davis of Putnam,
Dewberry,
Dickerson,
Fouche,
Freeman,
Garvin,
Glenn of Fulton,

Glenn of Oglethorpe,
Glover,
Graham,
Gray,
Gresham,
Haines,
Hamilton,
Hargroves,
Harris of Hancock,
Harris of Merriwether,
Harvey,
Head,
Hill of Troup,
Hudson of Harris,
Hull,
Jennings,
Johnson of Hall,
Johnson of Oglethorpe,
Jones of Burke,
Kenan,
Ketchum,
Killgore,
Knox,
Lamar of Lincoln,
Lamar of Bibb,
Low,
Lindley,
Logan,
Long,
Mabry of Heard,
Manson,
Martin of Lumpkin,
Martin of Merriwether,
McDaniel,
Means,
Moor of Spalding,
Montgomery,
Neil of Columbia,
Neil of Talbot,
Newton,
Patrick,
Phinizy of Monroe,
Phinizy of Richmond,
Pierce,
Pinson,
Pittman,
Poe,
Poullain,
Ramsey of Muscogee,
Reese,
Reynolds,
Rice,
Sharmon,
Sharpe,
Shell,
Shropshire of Chattooga,
Shropshire of Floyd,
Singleton,
Spence,
Starr,
Stephens of Hancock,
Street,
Strickland of Forsyth,
Thomas of Whitfield,
Tidwell,
Trippe,
Turner of Hancock,
Walton,
Warner,
Wicker,
Willingham,
Williams of Chattooga,
Williams of Harris,
Willis,
Wood,
Word,
Wright,
Young of Gordon.

So the amendment and substitute, as amended, to-wit: "The Senate shall consist of forty-four members, and the State shall be divided into forty-four Senatorial Districts, each of which shall consist of three contigious counties, and shall be entitled to one Senator. When a new county is organized, it shall, by the General Assembly, be added to some District which it may adjoin, and, in such event, such District may consist of more than three coun-

ties. If the Act organizing any county shall be repealed, the District which embraced said county, may contain less than three counties;" was adopted in lieu of the original and the substitute of Mr. Garvin.

Mr. Roddey moved that the Senatorial Districts be arranged and organized by a Committee of this Convention, when Mr. Styles offered the following Resolution, which was accepted by Mr. Roddey, in lieu of his motion, to-wit:

Resolved, That the substitute just passed, be referred to a Committee of twenty-four, three from each Congressional District, who shall arrange the Districts, and report by Ordinance, in accordance therewith.

The Resolution was adopted.

Mr. Styles offered the following Resolution:

Resolved, That the subject of reducing the House of Representatives, and all Ordinances thereto relating, be laid upon the table.

The Resolution was read. He then moved to take up the same, which motion was lost.

On motion of Mr. Alexander of Fulton, the Convention then adjourned till eleven o'clock, Friday morning.

FRIDAY, MARCH 15, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Axson.

A quorum being present, the journal was read, when Mr. Hill, of Troup, moved to reconsider so much of the proceedings of yesterday as relates to the ordinance reported by the Committee on the Reduction of the General Assembly.

The motion to reconsider was lost.

A message was received from his Excellency, the Governor, through Mr. Waters, his Secretary, which, on motion of Mr. Bartow, was laid on the table until the Convention convened in secret session.

The President laid on the table the following communications:

1st. A communication from the Hon. Howell Cobb, President of the Congress of the Confederate States of America, enclosing a certified copy of the "Constitution of the Confederate States of America," adopted March 11, 1861, to-wit: (which said communication was ordered to be placed in the appendix of the journal of this Convention.)

CONSTITUTION

OF THE

CONFEDERATE STATES OF AMERICA.

We, the people of the Confederate States, each State acting in its sovereign and independent character, in order to form a permanent federal Government, establish justice, insure domestic tranqility and secure the blessings of liberty to ourselves and our posterity—invoking the favor and guidance of Almighty God—do ordain and establish this Constitution for the Confederate States of America.

ARTICLE I.

Section 1.

All legislative powers herein delegated shall be vested in a Congress of the Confederate States, which shall consist of a Senate and House of Representatives.

Section 2.

1. The House of Representatives shall be composed of members chosen every second year by the people of the several States; and the electors in each State shall be citizens of the Confederate States, and have the qualifications requisite for electors of the most numerous branch of the State Legislature; but no person of foreign birth, not a

citizen of the Confederate States, shall be allowed to vote for any officer, civil or political, State or Federal.

2. No person shall be a Representative, who shall not have attained the age of twenty-five years, and be a citizen of the Confederate States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

3. Representatives and Direct Taxes shall be apportioned among the several States, which may be included within this Confederacy, according to their respective numbers, which shall be determined, by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all slaves. The actual enumeration shall be made within three years after the first meeting of the Congress of the Confederate States, and within every subsequent term of ten years, in such manner as they shall, by law, direct. The number of Representatives shall not exceed one for every fifty thousand, but each State shall have at least one Representative; and until such enumeration shall be made, the State of South Carolina shall be entitled to choose six—the State of Georgia ten—the State of Alabama nine—the State of Florida two—the State of Mississippi seven—the State of Louisiana six, and the State of Texas six.

4. When vacancies happen in the representation from any State, the Executive authority thereof shall issue writs of election to fill such vacancies.

5. The House of Representatives shall choose their speaker and other officers; and shall have the sole power of impeachment; except that any judicial or other federal officer, resident and acting solely within the limits of any State, may be impeached by a vote of two-thirds of both branches of the Legislature thereof.

Section 3.

1. The Senate of the Confederate States shall be composed of two Senators from each State, chosen for six years by the legislature thereof, at the regular session next immediately preceding the commencement of the term of service; and each Senator shall have one vote.

2. Immediately after they shall be assembled, in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year; of the second class at the expiration of the fourth year; and the third class at the expiration of the sixth year; so that one-third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the legislature of any State, the Executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies.

3. No person shall be a Senator who shall not have attained the age of thirty years, and be a citizen of the Confederate States; and who shall not, when elected, be an inhabitant of the State for which he shall be chosen.

4. The Vice-President of the Confederate States shall be President of the Senate, but shall have no vote, unless they be equally divided.

5. The Senate shall choose their other officers; and also a President *pro tempore* in the absence of the Vice-President, or when he shall exercise the office of President of the Confederate States.

6. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the Confederate States is tried, the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

7. Judgment, in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit, under the Confederate States; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment and punishment according to law.

Section 4.

1. The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof, subject to the provisions of this Constitution; but the Congress may, at any

time, by law, make or alter such regulations, except as to the times and places of choosing Senators.

2. The Congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall, by law, appoint a different day.

SECTION 5.

1. Each House shall be judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner and under such penalties as each House may provide.

2. Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds of the whole number, expel a member.

3. Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may, in their judgment require secresy; and the yeas and nays of the members of either House, on any question, shall, at the desire of one-fifth of those present, be entered on the journal.

4. Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

SECTION 6.

1. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the Confederate States. They shall, in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

2. No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office

under the authority of the Confederate States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the Confederate States shall be a member of either House during his continuance in office. But Congress may, by law, grant to the principal officer in each of the Executive Departments a seat upon the floor of either House, with the privilege of discussing any measures appertaining to his department.

SECTION 7.

1. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

2. Every bill which shall have passed both Houses, shall, before it becomes a law, be presented to the President of the Confederate States; if he approve, he shall sign it; but if not, he shall return it with his objections to that House in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law. But in all such cases, the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress, by their adjournment, prevent its return; in which case it shall not be a law.

The President may approve any appropriation and disapprove any other appropriation in the same bill. In such case he shall, in signing the bill, designate the appropriations disapproved; and shall return a copy of such appropriations, with his objections, to the House in which the bill shall have originated; and the same proceedings shall then be had as in case of other bills disapproved by the President.

3. Every order, resolution or vote, to which the concurrence of both Houses may be necessary (except on a question of adjournment) shall be presented to the President of the Confederate States; and before the same shall take effect, shall be approved by him; or being disapproved by him, shall be re-passed by two-thirds of both Houses according to the rules and limitations prescribed in case of a bill.

SECTION 8.

The Congress shall have power—

1. To lay and collect taxes, duties, imposts, and excises, for revenue necessary to pay the debts, provide for the common defence, and carry on the government of the Confederate States; but no bounties shall be granted from the treasury; nor shall any duties or taxes on importations from foreign nations be laid to promote or foster any branch of industry; and all duties, imposts, and excises shall be uniform throughout the Confederate States:

2. To borrow money on the credit of the Confederate States:

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes; but neither this, nor any other clause contained in the constitution, shall ever be construed to delegate the power to Congress to appropriate money to any internal improvement intended to facilitate commerce; except for the purpose of furnishing lights, beacons, and buoys, and other aids to navigation upon the coasts, and the improvement of harbors and the removing of obstructions in river navigation, in all which cases, such duties shall be laid on the navigation facilitated thereby, as may be necessary to pay the costs and expenses thereof:

4. To establish uniform laws of naturalization, and uniform laws on the subject of bankruptcies, throughout the Confederate States, but no law of Congress shall discharge any debt contracted before the passage of the same:

5. To coin money, regulate the value thereof and of foreign coin, and fix the standard of measures:

6. To provide for the punishment of counterfeiting the securities and current coin of the Confederate States:

7. To establish post offices and post routes; but the expenses of the post office department, after the first day of March, in the year of our Lord eight hundred and sixty-three, shall be paid out of its own revenues:

8. To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries:

9. To constitute tribunals inferior to the Supreme Court:

10. To define and punish piracies and felonies committed on the high seas, and offences against the law of nations:

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water:

12. To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years:

13. To provide and maintain a navy:

14. To make rules for the government and regulation of the land and naval forces:

15. To provide for calling forth the militia to execute the laws of the Confederate States, suppress insurrections, and repel invasions:

16. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the Confederate States, respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress:

17. To exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of one or more States and the acceptance of Congress, become the seat of the Government of the Confederate States; and to exercise like authority over all places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings; and

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the Confederate States, or in any department or officer thereof.

SECTION 9.

1. The importation of negroes of the African race, from any foreign country, other than the slaveholding States or Territories of the United States of America, is hereby forbidden; and Congress is required to pass such laws as shall effectually prevent the same.

2. Congress shall also have power to prohibit the introduction of slaves from any State not a member of, or Territory not belonging to this Confederacy.

3. The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

4. No bill of attainder, *ex post facto* law, or law denying or impairing the right of property in negro slaves shall be passed.

5. No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

6. No tax or duty shall be laid on articles exported from any State, except by a vote of two-thirds of both Houses.

7. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another.

8. No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

9. Congress shall appropriate no money from the treasury except by a vote of two-thirds of both Houses, taken by yeas and nays, unless it be asked and estimated for by some one of the heads of Department, and submitted to Congress by the President; or for the purpose of paying its own expenses and contingencies; or for the payment of claims against the Confederate States, the justice of which shall have been judicially declared by a tribunal for the investigation of claims against the government, which it is hereby made the duty of Congress to establish.

10. All bills appropriating money shall specify in federal currency the exact amount of each appropriation and the purposes for which it is made; and Congress shall grant no

extra compensation to any public contractor, officer, agent or servant, after such contract shall have been made or such service rendered.

11. No title of nobility shall be granted by the Confederate States; and no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office or title of any kind whatever from any king, prince or foreign State.

12. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and petition the government for a redress of grievances.

13. A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

14. No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

15. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

16. No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

17. In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascer-

tained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defence.

18. In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact so tried by a jury shall be otherwise re-examined in any court of the Confederacy, than according to the rules of the common law.

19. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

20. Every law or resolution having the force of law, shall relate to but one subject, and that shall be expressed in the title.

SECTION 10.

1. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal, coin money; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, or *ex post facto* law, or law impairing the obligation of contracts: or grant any title of nobility.

2. No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the nett produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the treasury of the Confederate States; and all such laws shall be subject to the revision and control of Congress.

3. No State shall, without the consent of Congress, lay any duty on tonnage, except on sea-going vessels, for the improvement of its rivers and harbors navigated by the said vessels; but such duties shall not conflict with any treaties of the Confederate States with foreign nations; and any surplus revenue, thus derived, shall, after making such improvement, be paid into the common treasury. Nor shall any State keep troops or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually

invaded, or in such imminent danger as will not admit of delay. But when any river divides or flows through two or more States, they may enter into compacts with each other to improve the navigation thereof.

ARTICLE II.

Section 1.

1. The executive power shall be vested in a President of the Confederate States of America. He and the Vice-President shall hold their offices for the term of six years; but the President shall not be re-eligible. The President and Vice President shall be elected as follows:

2. Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the Confederate States, shall be appointed an elector.

3. The electors shall meet in their respective States and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and of the number of votes for each, which lists they shall sign and certify, and transmit, sealed, to the seat of government of the Confederate States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no such person have such majority, then, from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the

President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President, whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice President shall act as President, as in case of the death, or other constitutional disability of the President.

4. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then, from the two highest numbers on the list the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

5. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the Confederate States.

6. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the Confederate States.

7. No person except a natural-born citizen of the Confederate States, or a citizen thereof, at the time of the adoption of this Constitution, or a citizen thereof born in the United States prior to the 20th December, 1860, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained the age of thirty-five years, and been fourteen years a resident within the limits of the Confederate States, as they may exist at the time of his election.

8. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President; and the Congress may, by law, provide for the case of removal, death, resignation, or inability both of the President and Vice-President, declaring what officer shall then act as President, and such officer shall act

accordingly until the disability be removed or a President shall be elected.

9. The President shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected; and he shall not receive within that period any other emolument from the Confederate States, or any of them.

10. Before he enters on the execution of his office, he shall take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the Confederate States, and will, to the best of my ability, preserve, protect, and defend the constitution thereof."

SECTION 2.

1. The President shall be commander-in-chief of the army and navy of the Confederate States, and of the militia of the several States, when called into the actual service of the Confederate States; he may require the opinion, in writing, of the principal officer in each of the Executive Departments, upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons for offences against the Confederate States, except in cases of impeachment.

2. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, Judges of the Supreme Court, and all other officers of the Confederate States, whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may, by law, vest the appointment of such inferior officers, as they may think proper, in the President alone, in the courts of law or in the heads of Departments.

3. The principal officer in each of the Executive Departments, and all persons connected with the diplomatic service, may be removed from office at the pleasure of the the President. All other civil officers of the Executive Department may be removed at any time by the President,

or other appointing power, when their services are unnecessary, or for dishonesty, incapacity, inefficiency, misconduct, or neglect of duty; and when so removed, the removal shall be reported to the Senate, together with the reasons therefor.

4. The President shall have power to fill all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session; but no person rejected by the Senate shall be re-appointed to the same office during their ensuing recess.

SECTION 3.

1. The President shall, from time to time, give to the Congress information of the state of the Confederacy, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both Houses, or either of them; and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the Confederate States.

SECTION 4.

1. The President, Vice President, and all civil officers of the Confederate States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

ARTICLE III.

SECTION 1.

1. The judicial power of the Confederate States shall be vested in one Supreme Court, and in such Inferior Courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and Inferior Courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuonce in office.

SECTION 2.

1. The judicial power shall extend to all cases arising under this Constitution, the laws of the Confederate States, and treaties made or which shall be made under their authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maratime jurisdiction; to controversies to which the Confederate States shall be a party; to controversies between two or more states; between a state and a citizen of another state where the state is plaintiff; between citizens claiming lands under grants of different states; and between a state or a citizen thereof, and foreign states, citizens or subjects; but no state shall be sued by a citizen or subject of any foreign state.

2. In all cases affecting ambassadors, other public ministers, and consuls, and those in which a state shall be a party, the supreme court shall have original jurisdiction. In all the other cases before mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations, as the Congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by jury, and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

SECTION 3.

1. Treason against the Confederate States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act or on confession in open court.

2. The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

ARTICLE IV.

Section 1.

1. Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And the Congress may, by general laws, prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

Section 2.

1. The citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States, and shall have the right of transit and sojourn in any State of this Confederacy, with their slaves and other property: and the right of property in said slaves shall not be thereby impaired.

2. A person charged in any State with treason, felony, or other crime against the laws of such State, who shall flee from justice, and be found in another State, shall, on demand of the Executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

3. No slave or other person held to service or labor in any State or territory of the Confederate States, under the laws thereof, escaping or lawfully carried into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor: but shall be delivered up on claim of the party to whom such slave belongs, or to whom such service or labor may be due.

Section 3.

1. Other States may be admitted into this Confederacy by a vote of two-thirds of the whole House of Representatives, and two-thirds of the Senate, the Senate voting by States; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislature of the States concerned as well as of the Congress.

2. The Congress shall have power to dispose of and make

all needful rules and regulations concerning the property of the Confederate States, including the lands thereof.

3. The Confederate States may acquire new territory; and Congress shall have power to legislate and provide governments for the inhabitants of all territory belonging to the Confederate States, lying without the limits of the several States; and may permit them, at such times, and in such manner as it may by law provide, to form States to be admitted into the Confederacy. In all such territory, the institution of negro slavery as it now exists in the Confederate States, shall be recognized and protected by Congress, and by the territorial government: and the inhabitants of the several Confederate States and Territories, shall have the right to take to such territory any slaves lawfully held by them in any of the States or territories of the Confederate States.

4. The Confederate States shall guaranty to every State that now is, or hereafter may become a member of this Confederacy, a republican form of government, and shall protect each of them against invasion; and on application of the legislature (or of the Executive when the legislature is not in session) against domestic violence.

ARTICLE V.

Section 1.

1. Upon the demand of any three States, legally assembled in their several Conventions, the Congress shall summon a Convention of all the States, to take into consideration such amendments to the Constitution as the said States shall concur in suggesting at the time when the said demand is made; and should any of the proposed amendments to the Constitution be agreed on by the said Convention—voting by States—and the same be ratified by the legislatures of two-thirds of the several States, or by Conventions in two-thirds thereof—as the one or the other mode of ratification may be proposed by the general Convention—they shall thenceforward form a part of this Constitution. But no State shall, without its consent, be deprived of its equal represention in the Senate.

ARTICLE VI.

1. The Government established by this Constitution is the successor of the Provisional Government of the Confederate States of America, and all the laws passed by the latter shall continue in force until the same shall be repealed or modified; and all the officers appointed by the same shall remain in office until their successors are appointed and qualified, or the offices abolished.

2. All debts contracted and engagements entered into before the adoption of this Constitution shall be as valid against the Confederate States under this Constitution as under the Provisional Government.

3. This Constitution, and the laws of the Confederate States, made in pursuance thereof, and all treaties made, or which shall be made under the authority of the Confederate States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding.

4. The Senators and Representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the Confederate States, and of the several States, shall be bound by oath or affirmation, to support this Constitution: but no religious test shall ever be required as a qualification to any office or public trust under the Confederate States.

5. The enumeration, in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people of the several States.

6. The powers not delegated to the Confederate States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people thereof.

ARTICLE VII.

1. The ratification of the Conventions of five States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

2. When five States shall have ratified this Constitution,

in the manner before specified, the Congress under the Provisional Constitution, shall prescribe the time for holding the election of President and Vice President; and, for the meeting of the Electoral College; and, for counting the votes, and inaugurating the President. They shall, also, prescribe the time for holding the first election of members of Congress under this Constitution, and the time for assembling the same. Until the assembling of such Congress, the Congress under the Provisional Constitution shall continue to exercise the legislative powers granted them; not extending beyond the time limited by the Constitution of the Provisional Government.

EXTRACT FROM THE JOURNAL OF THE CONGRESS.

CONGRESS, March 11, 1861.

On the question of the adoption of the Constitution of the Confederate States of America, the vote was taken by yeas and nays; and the Constitution was unanimously adopted, as follows:

Those who voted in the affirmative, being, Messrs. Walker, Smith, Curry, Hale, McRae, Shorter and Fearn, of Alabama, (Messrs. Chilton and Lewis being absent); Messrs. Morton, Anderson and Owens, of Florida; Messrs. Toombs, Howell Cobb, Bartow, Nisbet, Hill, Wright, Thomas R. R. Cobb and Stephens, of Georgia, (Messrs. Crawford and Kenan being absent); Messrs. Perkins, deClouet, Conrad, Kenner, Sparrow and Marshall, of Louisiana; Messrs. Harris, Brooke, Wilson, Clayton, Barry and Harrison, of Mississippi, (Mr. Campbell being absent); Messrs. Rhett, Barnwell, Keitt, Chesnut, Memminger, Miles, Withers and Boyce, of South Carolina; Messrs. Reagan, Hemphill, Waul, Gregg, Oldham and Ochiltree, of Texas, (Mr. Wigfall being absent.)

A true copy: J. J. HOOPER,

Secretary of the Congress.

CONGRESS, March 11, 1861.

I do hereby certify that the foregoing are, respectively,

true and correct copies of "The Constitution of the Confederate States of America," unamiously adopted this day, and of the yeas and nays, on the question of the adoption thereof.

HOWELL COBB,

President of the Congress.

2d. A communication from Wm. J. Vason, Esq., Commissioner from Georgia to the State of Louisiana, with accompanying documents.

3d. A communication from Samuel Hall, Esq., Commissioner from Georgia to the State of North Carolina, with accompanying document.

4th. A communication from A. R. Wright, Esq., Commissioner from Georgia to the State of Maryland.

All of which (Mr. Hull being in the chair) were taken up, read, and ordered to be recorded in the appendix to the to the journal.

Mr. Nisbet offered the following resolution, which was taken up, read, and adopted:

Resolved, That the Constitution of the Confederate States of America, be the order of the day for to-morrow at 10 o'clock, A. M.

Mr. Hawkins offered the following resolution, which was read:

Resolved, That a Committee of sixteen, two from each Congressional District as now organized be appointed to arrange ten Congressional Districts for the State upon the basis of the new Constitution, and report at the earliest practicable time.

The President announced the following as the Committee of twenty-four, three from each Congressional District, to apportion the Senatorial Districts, and report an Ordinance in accordance therewith, to-wit:

Mr. RODDEY, Chairman,
from the 3d District.

1st District, Messrs. Varnadoe,
Gaulden,
Yopp.

2d District, Messrs. Clarke,
Furlow,
Dozier.

3rd District, Messrs. Long,
Lamar, of Bibb.

4th District, Messrs. Tidwell,
Hoyle,
Beasley.

5th District, Messrs. Shropshire, of Floyd,
Chastain,
Dabney.

6th District, Messrs. Hull,
Martin, of Lumpkin,
McDaniel.

7th District, Messrs. Briscoe,
Reese,
Fitzpatrick.

8th District, Messrs. Singleton,
Neal, of Columbia,
Johnson, of Oglethorpe.

Mr. Logan offered the following resolution, which was taken up, read, and adopted:

Resolved, That the Committee on the "Constitution and Laws of this State, and the Constitution of the United States" be instructed to inquire into the propriety of reporting an Ordinance to this Convention, consenting to the location of the permanent capitol of the Confederate States of America within the State of Georgia, and granting limited jurisdiction over such portion of territory as may be necessary for that purpose.

Mr. Poe offered the following resolution, which was taken up, read, and referred to the Committee on the Constitution and Laws of the State, and the Constitution of the United States, to-wit:

Resolved, That when any case shall be called for trial, in any of the Courts of this State, if it shall be made to appear that either party is unprepared to proceed to trial by reason of said party or his counsel being, or having been engaged in the military service of this State, or of any of

the States of this Confederacy, then, and in that case, it shall be the duty of the presiding Judge, or Justices, to continue said case generally.

Leave of absence was granted to Messrs. Flewellen, Strother, Turner of Hancock, Patterson, Giles, Beck, Moore, of Bulloch, and Dennis.

On motion of Mr. Varnadoe, the Convention then went into secret session, and having spent some time therein, it adjourned till ten o'clock, to-morrow morning.

SATURDAY, MARCH 16, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Baker.

A quorum being present, the Journal was read.

On motion of Mr. Nisbet, the doors were closed, and the Convention went into secret session.

On motion of Mr. Stephens, of Taliaferro, the Constitution adopted unanimously by the Congress of the Confederate States of America, at Montgomery, March 11, 1861, and submitted to this Convention of the People of Georgia for ratification, was taken up and read.

Mr. Alexander, of Upson, offered the following resolution:

Resolved, That the Constitution adopted by the Congress at Montgomery on the 11th day of March, 1861, for the permanent government of the Confederate States of America, be referred to a committee of seven, with instructions to frame and report, during this morning's session, an Ordinance to accept and ratify the same for the State of Georgia.

The resolution was taken up, read and adopted.

The President announced the following, as the committee of seven under the foregoing resolution, to-wit:

Messrs. Alexander, of Upson,
Fleming,
Rice,
Crawford, of Greene,
Warner,
Clarke and
Reese.

Mr. Clarke offered the following resolution, which was taken up, read, and adopted:

Resolved, That a committee of three be appointed by the President to report to this body the number of Journals of the proceedings of this Convention to be published for distribution, together with the manner of printing and binding; and to report, also, upon the compensation to be allowed the Secretary and his assistant for their services.

Whereupon the President announced the following as the committee under the foregoing resolution, to-wit:

Messrs. Clarke,
Bartow and
Chastain.

Mr. Carswell, from the Committee on Accounts offered the following resolution, which was taken up and read:

Resolved, That the members of this Convention be allowed mileage to and from this Convention at its second session, the distance to be computed to Milledgeville.

Mr. Martin, of Lumpkin, offered the following, as a substitute therefor:

Resolved, That the State Treasurer be instructed to settle with the Delegates of this Convention, their *per diem* pay and mileage from their residences the most direct route to and from Savannah, for the second session of this Convention.

Mr. Styles moved the "previous question," which being seconded and sustained, the main question, to-wit: the adoption of Mr. Carswell's resolution, was put when the yeas and nays were demanded to be recorded.

The yeas are 150, nays 106, to-wit:

Those who voted in the affirmative are Messrs.

Alexander of Fulton,
Arnold,
Beall of Banks,
Bell of Forsyth,
Beall of Troup,
Blalock,
Bowen,
Brown of Houston,
Burch,
Bush,
Butts,
Byrd,
Cannon of Rabun,
Cannon of Wayne,
Cantrell,
Carswell,
Chastain,
Cheshier,
Cleveland,
Cochran of Terrell,
Coleman,
Collins,
Corn,
Cox,
Davis of Chattahoochee,
Davenport of Sumter,
Day,
Deupree,
Dewberry,
Dickerson,
Fain,
Farnsworth,
Fitzpatrick,
Ford,
Fort of Wayne,
Fouche,
Freeman,
French,
Garvin,
Glenn of Oglethorpe,
Glover,
Gordon,
Graham,
Hall,
Haines,
Hamilton,
Hammond,
Hargroves,
Harris of Glynn,
Harris of McIntosh,
Harris of Meriwether,
Hawkins,
Head,
Henderson,
Hendricks,
Hill of Hart,
Hoyal,
Howell,
Hudson of Gwinnett,
Huggins,
Hust,
Jackson,
Johnson of Clayton,
Johnson of Hall,
Johnson of Jefferson,
Jones of Burke,
Ketchum,
Kimsey,
Kirkland,
Lamar of Lincoln,
Lamb,
Lattimer of Appling,
Lattimer of Montgomery,
Low,
Long,
Mabry of Berrien,
Manson,
Martin of Elbert,
Martin of Lumpkin,
Martin of Merriwether,
McConnell of Catoosa,
McCulloch,
McLain,
McLeod,
Mershon,
Milton,
Moor of Spalding,
Mounger,
Munnerlyn,
Neal of Columbia,
Newton.
Nisbet,

Overstreet,
Padget,
Patrick,
Perkins,
Phinizy of Monroe,
Pickett,
Pierce,
Pinson,
Pofford,
Prescott,
Price,
Pruett,
Ramsey of Clinch,
Ramsey of Muscogee,
Reed,
Richardson of Lee,
Roddey,
Rutherford,
Sheffield of Calhoun,
Shell,
Skelton,
Simmons of Pickens,
Singleton,
Sirmons,
Sisk,
Smith of Charlton,
Smith of DeKalb,
Smith of Johnson,
Stapleton,
Starr,
Stephens of Hancock,
Stephens of Monroe,
Stephens of Pierce,
Street,
Styles,
Taliaferro,
Tidwell,
Tillman,
Tomlinson,
Troup,
Tucker of Colquitt,
Tucker of Laurens,
Turner of Wilcox,
Walton,
Waterhouse,
Webb,
Wellborn,
West,
Whelchel,
Wicker,
Williams of Chattooga,
Williams of McIntosh,
Williamson,
Wood,
Wright,
Yates,
Young of Gordon.
Young of Irwin.

Those who voted in the negative are Messrs.

Adams of Camden,
Adams of Putnam,
Algood,
Banks,
Beasley,
Benning,
Black,
Brewton,
Briscoe,
Brown of Marion,
Brown of Webster,
Buchanan,
Bullard,
Burnett,
Calhoun,
Carson,
Casey,
Clarke,
Cochran of Wilkinson,
Cobb,
Cody,
Colquitt,
Crawford of Richmond,
Dabney,
Daniel,
Davis of Putnam,
Davenport of Clay,
Douglass,
Dozier,
Ellington,
Fields,
Fort of Stewart,
Frier,
Furlow,

Gardner,	Montgomery,
Gee,	Neal of Talbot,
Gholston,	Paris,
Glenn of Fulton,	Phinizy of Richmond,
Gray,	Pittman,
Gunn,	Poe,
Hale,	Ponder,
Harvill,	Porter,
Harris of Hancock,	Poullain,
Harvey,	Reynolds,
Hendry,	Rice,
Herrington,	Robinson,
Hilliard,	Sherman,
Hood,	Sharpe.
Hudson of Harris,	Sheffield of Early,
Hull,	Shropshire of Floyd,
Jennings,	Slater,
Johnson of Oglethorpe,	Simms,
Jones of Chatham,	Smith of Talbot,
Jordan,	Solomons,
Kenan,	Spence,
Killgore,	Stephens of Taliaferro,
Knox,	Strickland of Forsyth,
Lamar of Bibb,	Strickland of Tatnall,
Lester,	Thomas of Dooly,
Lindley,	Thomas of Whitfield,
Logan,	Trippe,
Logue,	Usry,
Lyle,	Varnadoe,
Mallary,	Whitehead,
Marshall,	Willingham,
McConnell of Cherokee,	Williams of Harris,
McDaniel,	Willis,
McRae,	Winn of Cobb,
Means,	Winn of Gwinnett,
Mitchell,	Word,

So the resolution was adopted.

Mr. Stephens, of Taliaferro, laid on the table the following ordinance:

AN ORDINANCE

Additional to a previous ordinance of the Convention on the subject of citizenship.

Be it ordained by the people of Georgia in sovereign Convention assembled,

That all white persons resident in the State at the time

of the secession of the State from the United States, with the *bona fide* intention of making it the place of their abode, shall be considered as citizens of this State without reference to the place of birth: *Provided*, that any person not born in this State, can except him or herself from the operation of this ordinance by a declaration in any Court of Record in the State within three months from this date that he or she does not wish to be considered a citizen of this State.

On motion of Mr. Stephens (of Taliaferro) the ordinance was taken up, read twice, and adopted.

Mr. Cobb offered the following resolution:

Resolved, That the Committee on the Constitution and Laws be instructed to revise the Constitution of the State of Georgia, and report the same to this Convention, with such alterations and amendments as they may recommend for adoption.

The resolution was taken up and read, when

Mr. Clarke offered the following amendment:

"But the subject of reduction being now before the Convention is not submitted to said committee until after the final action of this Convention on that subject."

The amendment was received, and the resolution, as amended, was adopted.

Mr. Alexander, of Upson, from the Committee of Seven, who were instructed to report this morning an ordinance to adopt and ratify the Constitution of the Confederate States of America, reported the following:

AN ORDINANCE

To adopt and ratify the Constitution of the Confederate States of America.

Be it ordained by the people of Georgia in Convention assembled, and it is hereby ordained by the authority of the same,

That the Constitution adopted by the Congress at Montgomery, in the State of Alabama, on the eleventh day of

March, in the year of our Lord one thousand eight hundred and sixty-one, for the "permanent federal government" of the Confederate States of America, be, and the same is hereby adopted and ratified by the State of Georgia, "acting in its sovereign and independent character."

Mr. Stephens, of Taliaferro, moved to take up and agree to the report, upon which motion Mr. Hull demanded that the yeas and nays be recorded.

There are yeas 276 ; nays none.

Those who voted in the affirmative are Messrs.

Adams of Camden,
Adams of Putnam,
Alexander of Fulton,
Alexander of Upson,
Algood,
Arnold,
Banks,
Bartow,
Beasley,
Bell of Banks,
Bell of Forsyth,
Beall of Troup,
Benning,
Black,
Blalock,
Bowen,
Bozeman,
Brewton,
Briggs,
Briscoe,
Brown of Houston,
Brown of Marion,
Brown of Webster,
Bryan,
Buchanan,
Bullard,
Burch,
Burnett,
Bush,
Butts,
Calhoun,
Cannon of Rabun,
Cannon of Wayne,
Cantrell,
Carson,
Carswell,
Casey,
Chastain,
Cheshier,
Clarke,
Cleveland,
Cochran of Terrell,
Cochran of Wilkinson,
Cobb,
Cody,
Coleman,
Collins,
Colquitt,
Corn,
Cox,
Crawford of Greene,
Crawford of Richmond,
Dabney,
Daniel,
Davis of Chattahoochee,
Davis of Putnam,
Davenport of Clay,
Davenport of Sumter,
Day,
Deupree,
Dewberry,
Dickerson,
Douglass,
Dozier,
Ellington,
Fain,
Farnsworth,
Fleming,

Fields,
Fitzpatrick,
Ford,
Fort of Stewart,
Fort of Wayne,
Fouche,
Freeman,
Frier,
French,
Furlow,
Gaulden,
Gardner,
Garvin,
Gee,
Gholston,
Glenn of Fulton,
Glenn of Oglethorpe,
Glover,
Gordon,
Graham,
Gray,
Gunn,
Hale,
Hall,
Haines,
Hamilton,
Hammond.
Hansell,
Hargroves,
Harville,
Harris of Glynn,
Harris of Hancock,
Harris of McIntosh,
Harris of Meriwether,
Harvey,
Hawkins,
Head,
Henderson,
Hendry,
Hendricks,
Herrington,
Hill of Hart,
Hill of Troup,
Hilliard,
Hood,
Hoyal,
Howell,
Hudson of Gwinnett,
Hudson of Harris,
Huggins,
Hull,
Humphries,
Hust,
Jackson,
Jennings,
Johnson of Clayton,
Johnson of Hall,
Johnson of Jefferson,
Johnson of Oglethorpe,
Jones of Burke,
Jones of Chatham,
Jordan,
Kenan,
Ketchum,
Killgore,
Kimsey,
Kirkland,
Knox,
Lamar of Lincoln,
Lamar of Bibb,
Lamb,
Lattimer of Appling,
Lattimer of Montgomery,
Low,
Lester,
Lindley,
Logan,
Logue,
Long,
Lyle,
Mabry of Berrien,
Mabry of Heard,
Mallary,
Manson,
Marshall,
Martin of Elbert,
Martin of Lumpkin,
Martin of Meriwether,
McConnell of Catoosa,
McConnell of Cherokee,
McCulloch,
McDaniel,
McGriff,
McLain,
McLeod,
McRae,

Means,
Mershon,
Milton,
Mitchell,
Moore of Bulloch,
Moor of Spalding,
Montgomery,
Morrow,
Mounger,
Munnerlyn,
Neal of Columbia,
Neal of Talbot,
Newton,
Nisbet,
Overstreet,
Padget,
Paris,
Patrick,
Perkins,
Phinizy of Monroe,
Phinizy of Richmond,
Pickett,
Pierce,
Pinson,
Pittman,
Pitts,
Poe,
Pofford,
Ponder,
Porter,
Poullain,
Prescott,
Price,
Pruett,
Ramsey of Clinch,
Ramsey of Muscogee,
Reed,
Reese,
Reynolds,
Rice,
Richardson of Lee,
Robinson,
Roddey,
Rutherford,
Saffold,
Sharman,
Sharpe,
Sheffield of Calhoun,
Sheffield of Early,
Shell,
Shropshire of Chattooga,
Shropshire of Floyd,
Slater,
Skelton,
Simmons of Pickens,
Simms,
Singleton,
Sirmons,
Sisk.
Smith of Charlton,
Smith of DeKalb,
Smith of Johnson,
Smith of Talbot,
Solomons,
Spence,
Stapleton,
Starr,
Stephens of Hancock,
Stephens of Monroe,
Stephens of Taliaferro,
Street,
Strickland of Forsyth,
Strickland of Tatnall,
Styles,
Taliaferro,
Teasley,
Thomas of Dooly,
Thomas of Whitfield,
Tidwell,
Tillman,
Tomlinson,
Trippe,
Troup,
Tucker of Colquitt,
Tucker of Laurens,
Turner of Wilcox,
Usry,
Varnadoe,
Walton,
Warner,
Waterhouse,
Webb,
Wellborn,
West,
Whelchel,
Whitehead,

Wicker,	Winn of Gwinnett,
Willingham,	Wood,
Williams of Chattooga,	Word,
Williams of Harris,	Wright,
Williams of McIntosh,	Yates,
Williamson,	Yopp,
Willis,	Young of Gordon,
Winn of Cobb,	Young, of Irwin,

So the ordinance, having been read twice, (every member present voting on its passage) was unanimously adopted. Whereupon

The President declared that the Constitution of the Confederate States of America, had been ratified.

Mr. Chastain offered the following resolution, which was taken up, read, and adopted.

Resolved, That the injunction of secrecy be removed from the proceedings of the Convention to-day, except the action of this Convention on the ordinance submitted by Mr. Singleton, a delegate from Scriven county.

Mr. Nisbet offered the following resolution, which was taken up, read, and adopted:

Resolved, That the President of this Convention transmit to the President of the Congress of the Confederate States, a copy duly certified, when enrolled and signed, of the ordinance this day passed, ratifying and adopting the permanent Constitution.

Mr. Cobb, from the Committee on the Constitution and Laws of the State, and the Constitution of the United States, made the following report:

The committee to whom was referred the resolution providing for the continuance of causes in the several Courts, under certain circumstances,

REPORT

That they have had the same under consideration, and recommend that no action be taken on the subject by this Convention.

The report was taken up, read and adopted.

Mr. Strickland, of Forsyth, laid upon the table the following resolutions, which were taken up, read, and referred to the "Committee on Military Affairs:"

Resolved, That his Excellency, the Governor, be, and he is hereby authorized and instructed to turn over to the government of the Confederate States, the two regiments of regular troops now being raised under an ordinance of this Convention; *Provided* that the government will accept the enlisted soldiers together with all the officers of the two regiments as appointed by the Governor of this State, for and during the term for which the recruits have been enlisted.

Resolved, That this Convention hereby approves the action of his Excellency, the Governor, in proceeding to organize and hold in readiness for active service, under the provisions of the act of the Legislature, all the volunteer forces of this State, which may not be needed for the service of the Confederate States; and that he be authorized to arm said troops as fast as organized, and to call the officers together for drill and training when necessary, that the whole force may be made efficient, should it be needed for the purpose of repelling any invasion, or attempted invasion of the soil of this State.

Mr. Hood laid upon the table the following ordinance, which was taken up, read, and referred to the Committee on Military Affairs:

AN ORDINANCE

To authorize the Governor to raise and expend money for the defence of this State.

Be it ordained by the people of Georgia in sovereign Convention assembled, and it is hereby ordained by authority of the same,

That his Excellency, the Governor of this State, be, and he is hereby authorized to raise and expend such sums of money as may be necessary to carry out all ordinances of this Convention, and all acts of the Legislature which provides for the public defence of this State; and for that purpose he is hereby authorized to issue and sell bonds of th is

State, having such time to run as he may designate, with interest coupons attached, payable at such place, or places, as he may think proper, until he shall have raised such sums of money as the exigencies of the State may require; said bonds to be for one thousand dollars each, or such less sums as the Governor may find to be most saleable.

And be it further ordained, That the faith and credit of this State are hereby solemnly pledged for the redemption of all such bonds and interest coupons as the Governor may issue and dispose of under this ordinance.

And be it further ordained, That in case the Governor shall be unable to raise by the sale of bonds, a sufficient sum for the defence of the State, he is hereby authorized to issue and dispose of Treasury Notes, in sums of twenty-five, fifty, and one hundred dollars, each, for that purpose; said notes to bear such interest as may be prescribed by the Governor, not to exceed seven per cent. per annum.

Mr. Fouche laid on the table the following:

AN ENNUNCIATION OF FUNDAMENTAL PRINCIPLES.

Experience having admonished us that there exists a wide spread disposition in many sections, to question or deny the right of the people of Georgia, to be a free, independent, and sovereign State, endowed with all the rights of a perfect sovereignty, among which is the right to secede from a Confederacy, upon finding a continuance in it incompatible with her peace, safety, happiness, interests, or liberties: Aware, moreover, of the importance of a thorough understanding of the fundamental principles of all just government by the people of a free State: We, the representatives of the people of Georgia, in that supreme and sovereign capacity wherein they are entitled to make, alter, and abolish Constitutions and Governments, do hereby publish and declare:

First, That sovereignty is the supreme, ultimate power, abiding in the people of an organized community or State.

Second, That sovereignty is one, indivisible, inalienable, and imprescriptible.

Third, That all other power in the State is derived from, is subordinate to, and revocable by, the sovereignty.

Fourth, That Governments are not sovereign, but the creatures of the sovereignty, ordained and established by it, for the purpose of a convenient exercise of its ordinary powers, in the enactment, administration, and execution of laws, to establish justice, and to promote the peace, good order, security, and prosperity of the State.

Fifth, That constitutions or fudamental laws, are the direct enactments of the sovereignty, organizing governments, delegating, defining, and limiting their powers, and enumerating the purposes for which those powers are to be exerted.

Sixth, That allegiance is due only to the sovereignty, and obedience is due to government only as its regularly constituted organ.

Seventh, That no mere government, whether it be a government proper or improper, has a right to resist the regularly expressed will of the sovereignty which created it, either for the purpose of retaining power, or of continuing its existence against that will.

Eighth, That there ought to be established a real and effective responsibility on the part of all officials in every department of government.

Ninth, That power given for one purpose, cannot rightfully be exercised for any other, and therefore the taxing power can be exercised only to raise revenue to defray the expenses of government, defend the State, or for some other purpose specified in the grant of the power.

Tenth, That the system of taxation adopted in a free State, ought to be just and equal in its operation as between individuals, classes, and sections; and ought to be generally and thoroughly understood by the people, in order that they may be enabled to hold their representatives to a real responsibility, and secure simplicity, economy, and purity, in the administration.

Eleventh, That in its relation to individuals, the protection of person, property, and character, against violence, fraud, and defamation, is the sole legitimate object of all just government; and an imbecile government which cannot, or a corrupt government, which will not give it, ought to be reformed or overthrown.

Twelfth, That it is the indispensible duty of a good government, to provide an easy, prompt, and adequate remedy for the infraction of every right; and a just, but certain punishment for every wrong or crime.

Thirteenth, That all citizens of a free State, may freely, and peaceably, assemble to consider any matter interesting to them; may keep, and bear arms; may petition their government for anything within the sphere of its powers; may freely speak, write, and publish their opinions upon any subject, standing to the penalty of law for any abuse of these privileges; may profess any religious creed, and practice any form of religious worship, without being subjected, on account thereof, to any political or legal disability, or entitled to any political or legal privileges of favor.

On motion of Mr. Fouche, the foregoing "Fundamental Principles," were taken up, and read, and were referred to the "Committee on the Constitution and Laws of the State, and the Constitution of the United States," together with the "Bill of Rights," previously reported by said Committee through its Chairman, Mr. Cobb.

Leave of absence was asked for Messrs. Harris of Meriwether, Perkins, of Taliaferro, Wicker, Douglas, Banks of Stewart, Spencer, Phinizy of Richmond, Hines, Sheffield of Early, Sheffield of Calhoun, Buchanan, McDonald, Davis, Burch, Gaulden, Smith, of Talbot, and Shropshire of Floyd, which was refused.

On motion of Mr. Chastain, the Convention then adjourned till ten o'clock Monday morning.

MONDAY, MARCH 18, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Crawford.

A quorum being present, the journal was read.

Mr. Carswell moved to reconsider so much of the journal of Saturday as relates to the adoption of the resolution regulating the pay of mileage to the members of this Convention.

Mr. Chastain moved to lay that motion on the table, which was carried.

Mr. Fort, from the Committee on Enrollment, made the following report:

Mr. President:

The Committee on Enrollment have had enrolled, and it is now ready for the signatures of the President and delegates:

An Ordinance to adopt and ratify the Constitution of the Confederate States of America.

They have also had enrolled, and it is now ready for the signature of the President:

An Ordinance, additional to a previous Ordinance of this Convention, on the subject of citizenship.

Mr. Hansel offered the following resolution, which was taken up, read, and adopted:

Resolved, That those delegates who were absent on Saturday, when the vote was taken on the adoption of the Ordinance ratifying the Constitution, have leave to record their votes.

Leave of absence was granted to Messrs. Bell of Banks Collins, of Columbia, West, Dozier, and Dabney, on account of sickness in their families.

Leave of absence was refused to Messrs. Dupree, Pinson, Douglas, Harris of Merriwether, and Graham, who applied for the same on account of business requiring their attention.

Mr. Cobb, from the Committee on the Constitution and

Laws of the State, and the Constitution of the United States, to whom was referred the Ordinance in relation to citizens of Georgia holding office under the government of the late United States, reported adversely to the passage of the Ordinance.

Mr. Bell of Forsyth, laid on the table the following preamble and resolution, which were read :

Whereas, Governments are instituted to secure the rights of the people. and protect them in the enjoyment of those rights. And Whereas, rigid economy in the public expenditures is an element of strength in Republican Governments, while recklessness and prodigality in such expenditures are detrimental to the public virtue. Therefore,

Resolved, That in the inauguration of the new government, the multiplication of unnecessary officers to provide positions for favorites, is condemned by the people of Georgia.

Resolved, That the salaries of officers, State and Federal, Executive, Legislature, Judicial, and Diplomatic, ought not to exceed adequate compensation for services rendered the government.

Mr. Corn laid upon the table the following resolution, which was read :

Resolved, That a special Committee of Eight, (one from each Congressional District) be raised for the purpose of reporting, at an early day, an Ordinance upon the subject of the reduction of the fees and salaries of all civil officers of this State, from Governor down to county officers, and also the *per diem* pay of the members of the Legislature of this State.

Mr. Nisbet offered the following preamble and resolutions, which were taken up, read, and adopted.

Whereas, The government of the Confederate States has authorized bonds to be issued, running from five to ten years, and secured by an export duty of one eighth of one per cent. per pound upon cotton, for the purpose of meeting the pecuniary necessities of that government. And, Whereas, investment in such funds may be both convenient

and safe for executors, administrators, guardians, and other trustees, and at the same time contribute to the sum needed by the Confederate States. Therefore,

Resolved, That the Legislature of this State be, and is hereby requested, at its next session, to consider of the propriety of passing a law, authorizing executors, administrators, guardians and other trustees, to invest trust funds in their hands in the bonds of the Confederate States upon the same terms that such trustees are now by law authorized to invest in the bonds of the State of Georgia.

Mr. Fouche moved to take up the Resolution introduced by Mr. Hawkins, providing for the appointment by the President, of a Committee of sixteen, two from each Congresssional District, to arrange ten Congressional Districts for the State, &c.

The motion was agreed to, when Mr. Fouche moved to insert a committee of "twenty-four," and "three" from each Congressional District, instead of a committee of "sixteen," and "two" from each Congressional District.

The amendment was received.

Mr. Hill of Troup, offered the following as a substitute for the Resolution, as amended:

AN ORDINANCE

To organize Congressional Districts for the State of Georgia:

Be it Ordained by the People of Georgia, in Convention assembled,

That until otherwise ordered by the General Assembly of the State of Georgia, the several Congressional Districts for the State of Georgia, shall be composed of the counties following, to-wit:

Mr. Clark moved that the Resolution be referred to a Special Committee, to consist of the members of this body who are delegates to the Congress at Montgomery, together with the mover of the Resolution, to report upon the propriety and necessity of accepting the same.

Pending the consideration of which, Mr. Hawkins called for the "previous question," which, being seconded and sus-

tained, the main question was put, to-wit: the adoption of the original Resolution as amended, which was decided in the affirmative.

So the Resolution was adopted.

Mr. Styles moved to take up his Resolution instructing the Governor to furnish side arms to the officers of Military Companies who have, or may hereafter draw arms from the State.

The motion was agreed to, when Mr. Cobb moved to refer the same to the committee on Military Affairs.

Mr. Cobb, from the committtee on the Constitution and Laws of the State, and the Constitution of the United States, reported the following Resolutions:

Resolved, That in the publication of the Revised Code of the Laws of this State, adopted by the Legislature at its late session, the "United States" shall be stricken out, and the "Confederate States," substituted, wherever the same may be necessary.

Resolved, further, That the Constitutton of the Confederate States shall be published as a part of the Code.

On motion of Mr. Cobb, the same was taken up, read, and adopted.

Mr. Alexander of Upson offered the following Resolution, which was taken up, read, and adopted:

Resolved, That the committee on Enrollment be requested to make suitable arrangements for the delegates of this Convention to affix their signatures, at their convenience, to the Ordinance adopting and ratifying the permanent Constitution of the Confederate States of America.

The Ordinance laid on the table by Mr. Styles to appropriate money for the use of the Confederate States of America, was taken up, read, and referred to the Committee on Military affairs.

Mr. Gardner laid on the table the following Ordinance, which was taken up, read, and referred to the committee on the Constitution and Laws of the State and the United States:

AN ORDINANCE

To alter Sections the 3rd and 12th, of Article 1st, and Section 1st of Article 2nd of the Constitution of the State of Georgia:

Be it Ordained, by the People of Georgia, in Convention assembled,

That the third Section of the first Article, and the first Section of the second Article of the Constitution of this State be so altered as to extend the term of office of the Governor and members of the Senate of the Legislature of the State of Georgia to four years next succeeding their election, and that the election of said civil officers be held on the first Monday in October every four years, in persuance of the requirements of this Ordinance.

Be it further Ordained, by the authority aforesaid, That Section 12th of Article 1st of the Constitution of this State be so altered as to change the sessions of the Legislature from annual to bi-ennial, and to require said sessions of the General Assembly of the State of Georgia to commence bi-ennially on the first Wednesday in November, immediately following each bi-ennial election of members of the House of Representatives. The term of said sessions to continue the same as that now prescribed by law.

On motion of Mr. Hull, the second Section of the Ordinance to alter and amend the 3rd, 4th, 7th, and 8th Sections of the first Article of the Constitution of this State, and for other purposes, was taken up for consideration and read, and, on his motion, was referred to the committee on the Constitution and Laws of the State, and of the United States.

The third Section of the Ordinance was taken up and read, when Mr. Cobb offered the following as a substitute for the same, to-wit:

The House of Representatives shall consist of two hundred members, composed as follows: each county shall have one Representative. The remaining number shall be distributed by the Legislature among the counties having the largest representative population, so as as to give to each of such counties such a proportion of the same as their population de-

mands; *Provided*, no county shall have more than one member, whose representative population does not exceed thousand persons.

Mr. Garvin offered the following as a substitute for the foregoing and original Resolution:

The House of Representatives shall consist of one hundred and eighty-two members. Each county shall have one Representative, and the ten counties having the highest representative population shall have three Representatives each, and the thirty counties having the next largest population, two Representatives each.

On motion of Mr. Kenan, the original Section and the substitute were laid on the table for the balance of the session.

On motion of Mr. Chastain, the Convention then adjourned till ten o'clock to-morrow morning.

TUESDAY, MARCH 19, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Pryse.

The roll was called, and a quorum being present, the journal was read.

Mr. Cobb moved that so much of the journal of yesterday as relates to the adoption of the motion of Mr. Kenan, "to lay on the table for the balance of the session," the original third section, and the substitutes therefor, of the ordinance reported by the Committee on Reduction, be reconsidered.

Upon which motion the yeas and nays were demanded to be recorded.

The yeas are 117; nays 131, to-wit:

Those who voted in the affirmative are Messrs.

Adams of Camden,	Alexander of Upson,
Adams of Putnam,	Allen,
Alexander of Fulton,	Arnold,

Beasley,
Beall of Troup,
Benning,
Blalock,
Brown of Houston,
Bryan,
Calhoun,
Cantrell,
Casey,
Cobb,
Cody,
Collins,
Cox,
Crawford of Greene,
Crawford of Richmond,
Dabney,
Davis of Putnam,
Davenport of Sumter,
Dewberry,
Dickerson,
Fain,
Fort of Stewart,
Fouche,
Furlow,
Gardner,
Garvin,
Glenn of Fulton,
Glenn of Oglethorpe,
Glover,
Gordon,
Graham,
Gray,
Gresham,
Gunn,
Haines,
Hamilton,
Hammond,
Hansell,
Harris of Hancock,
Harvey,
Hawkins,
Hendricks,
Hilliard,
Hoyal,
Hudson of Harris,
Hull,
Humphries,
Jennings,
Johnson of Clayton,
Johnson of Oglethorpe,
Jones of Burke,
Ketchum,
Killgore,
Lamar of Lincoln,
Lamar of Bibb,
Low,
Lindley,
Logan,
Logue,
Lyle,
Mabry of Heard,
Manson,
Martin of Elbert,
Martin of Lumpkin,
McConnell of Cherokee,
McCulloch,
McDaniel,
Means,
Moor of Spalding,
Montgomery,
Morrow,
Neal of Columbia,
Neal of Talbot,
Nisbet,
Phinizy of Monroe,
Phinizy of Richmond,
Picket,
Pinson,
Pittman,
Pitts,
Poullain,
Reese,
Reynolds,
Rice,
Roddey,
Rutherford,
Saffold,
Sharman,
Sharpe,
Shropshire of Chattooga,
Shropshire of Floyd,
Skelton,
Singleton,
Spence,
Stapleton,
Stephens of Monroe,

Strickland of Forsyth,
Teasley,
Thomas of Whitfield,
Tidwell,
Trippe,
Troup,
Tucker of Laurens,
Warner,
Wellborn,
Whitehead,
Willingham,
Willis,
Winn of Cobb,
Word,
Wright,
Young of Gordon.

Those who voted in the negative are Messrs.:

Algood,
Bell of Forsyth,
Black,
Bowen,
Bozeman,
Brewton,
Briggs,
Briscoe,
Brown of Marion,
Brown of Webster,
Burnett,
Bush,
Butts,
Byrd,
Cannon of Rabun,
Cannon of Wayne,
Carson,
Carswell,
Chastain,
Cheshier,
Clarke,
Cleveland,
Cochran of Terrell,
Cochran of Wilkinson,
Coleman,
Corn,
Daniel,
Davis of Chattahoochee,
Davenport of Clay,
Day,
Deupree,
Farnsworth,
Fleming,
Fitzpatrick,
Ford,
Fort of Wayne,
Frier,
French,
Gaulden,
Gee,
Gholston,
Hale,
Hall,
Harville,
Harris of Glynn,
Harris of McIntosh,
Head,
Henderson,
Hendry,
Herrington,
Hines,
Hood,
Howell,
Hudson of Gwinnett,
Huggins,
Hust,
Jackson,
Johnson of Hall,
Johnson of Jefferson,
Jones of Chatham,
Jordan,
Kenan,
Kimsey,
Kirkland,
Knox,
Lamb,
Lattimer of Appling,
Lattimer of Montgomery,
Lester,
Long,
Mabry of Berrien,
Marshall,
McConnell of Catoosa,
McDonald,
McGriff,
McLeod,

McRae,
Mershon,
Milton,
Moore of Bulloch,
Mounger,
Overstreet,
Padget,
Paris,
Patrick,
Pierce,
Poe,
Pofford,
Ponder,
Porter,
Price,
Ramsey of Clinch,
Ramsey of Muscogee,
Reed,
Richardson of Lee,
Robinson,
Sheffield of Calhoun,
Shell,
Slater,
Simmons of Pickens,
Simms,
Sirmons,
Sisk,
Smith of Charlton,
Smith of Johnson,
Solomons,
Starr,
Stephens of Hancock,
Stephens of Pierce,
Stephens of Taliaferro,
Street,
Strickland of Tatnall,
Styles,
Taliaferro,
Thomas of Dooly,
Tillman,
Tomlinson,
Tucker of Colquitt,
Turner of Wilcox,
Usry,
Varnadoe,
Walton,
Webb,
Whelchel,
Williams of Chattooga.
Williams of Harris,
Williams of McIntosh,
Williamson,
Winn of Gwinnett,
Yopp,
Young of Irwin.

So the motion did not prevail.

The President announced the following committee under the resolution of Mr. Hawkins, adopted on yesterday, to appoint a committee to form ten Congressional Districts for this State, and report the same to this Convention, to-wit:

Mr. Hawkins, chairman, from the Second District.

Messrs. Jones of Chatham, Fleming and Brewton from the First District.

Messrs. Fort of Stewart, and Rutherford from the Second District.

Messrs. Lamar of Bibb, Cleveland and Sharman from the Third District.

Messrs. Lindley, Manson, and Alexander from the Fourth District.

Messrs. Word, Farnsworth and Walton from the Fifth District.

Messrs. Knox, Ketchum, and Hill of Hart from the Sixth District.

Messrs. Jordan, Briscoe and Gray from the Seventh District.

Messrs. Usry, Allen, and Singleton from the Eighth District.

The President laid on the table a communication from the Hon. A. R. Wright, the commissioner from the State of Georgia to the State of Maryland, in which was enclosed a communication from the Governor of Maryland to said Commissioner, which was read, and,

On motion of Mr. Varnadoe, the communication of the Governor of Maryland was laid on the table for the balance of the session.

Mr. Roddey laid on the table a preamble and resolution, which were read, to-wit:

Whereas, The Legislature of Georgia authorized the suspension of the Banks of the State, and by the act of the Congress of the Confederate States, duties on imports are made payable in specie, and in consequence of the Bank suspension and other causes, exchange and specie has risen to per cent. And whereas both the duties and premium on exchange, first advanced by the importing merchant and finally paid by the people, who consume the imported goods, amount to a burdensome tax; and whereas it is believed that the duties aforesaid might be payable in the Bank currency of the respective States, or other arrangements made which would relieve the people from the costs of specie, without detriment to the public service; therefore,

Resolved, That the Congress of the Confederate States are hereby respectfully requested to enquire into the practicability of so amending the revenue laws, as to authorize the duties on imports to be paid in the bills of such solvent banks of the Confederate States as may be selected for that purpose by the Secretary of the Treasury, or in their wisdom to make such other provision for the collection of the

revenue, as will relieve the country from the payment of existing premiums on specie.

Mr. Moor, of Spalding, from the Committee on Enrollment made the following report:

Mr. President:

The Committee on Enrollment report as duly enrolled and ready for the signature of the President—

A resolution to strike out "*United States*" in the Revised Code of the Laws of this State, and to insert "*Confederate States*," and in the publication thereof.

Also,

A resolution relative to investment by administrators, guardians, &c., of trust funds in the bonds of the Confederate States—

Which resolutions were signed, and transmitted to the Secretary of State.

Mr. Alexander, of Upson, laid on the table the following resolution, which was read:

Resolved, That this Convention will adjourn on Friday, the 22d instant, to re-assemble at Milledgeville at the call of the President, if the public interest should require the same, and in case of his death or resignation, then at the call of the Governor.

Mr. Cobb, from the Committee on the Constitution and Laws of the State, and the Constitution of the United States, to whom was referred the revision of the Constitution of the State, asked leave of absence for said committee during the sittings of the Convention, and also the privilege of directing that 300 copies of their report, as far as it has progressed, be printed.

The leave asked for was granted.

Mr. Robinson moved to take up his resolution relative to the *per diem* pay of the members of this Convention on the day of their visit to Fort Pulaski.

The motion was lost.

Leave of absence was granted to Messrs. Mitchell, Cannon of Rabun, Hargrove and Poe.

Mr. Hood offered the following resolution, which was taken up and read:

Resolved, That no member of this Convention shall receive *per diem* compensation after leave of absence granted for the balance of the session, or who shall leave the Convention without permission.

Mr. Styles moved to lay the resolution on the table the balance of the session, which motion was lost.

Mr. Wellborn moved to add the words "except on account of sickness in his family," which was lost.

The resolution was then adopted.

On motion of Mr. Bell, of Forsyth, the preamble and resolution introduced by him on yesterday relative to economy in the public expenditures and the multiplication of offices in the State and Federal Governments, were taken up and read.

Mr. Styles moved to refer the same to the Committee on the Constitution and Laws of the State, and Constitution of the United States.

Pending the consideration of which, Mr. Bell, of Forsyth, called for the "previous question," which being seconded and sustained, the main question, to-wit, the adoption of the resolution, was put upon its passage, when he demanded that the yeas and nays be recorded.

There are yeas 141; nays 36, to-wit:

Those who voted in the affirmative are Messrs.

Alexander of Upson,	Bowen,
Algood,	Brewton,
Arnold,	Briscoe,
Beasley,	Brown of Marion,
Beall of Forsyth,	Brown of Webster.
Beall of Troup,	Bush,
Black,	Butts,

Byrd,
Calhoun,
Cannon of Rabun,
Carson,
Chastain,
Cheshier,
Cochran of Terrell,
Cochran of Wilkinson,
Coleman,
Corn,
Cox,
Daniel,
Davis of Putnam,
Davenport of Sumter,
Day,
Dewberry,
Dickerson,
Fain,
Farnsworth,
Fitzpatrick,
Ford,
Frier,
Gholston,
Gordon,
Graham,
Gresham,
Hale,
Hall,
Hamilton,
Hammond,
Harris of Hancock,
Harvey,
Head,
Henderson,
Hendricks,
Herrington,
Hoyal,
Hudson of Gwinnett,
Hudson of Harris,
Huggins,
Hust,
Johnson of Clayton,
Johnson of Hall,
Johnson of Jefferson,
Jones of Burke,
Jones of Chatham,
Killgore,
Kimsey,
Kirkland,
Knox,
Lamar of Bibb,
Lattimer of Montgomery,
Lester,
Lindley,
Lyle,
Mabry of Berrien,
Mabry of Heard,
Manson,
Marshall,
Martin of Lumpkin,
McConnell of Cherokee,
McCulloch,
McDaniel,
McDonald,
McRae,
Means,
Mershon,
Milton,
Moor of Spalding,
Montgomery,
Morrow,
Neal of Talbot,
Nisbet,
Padget,
Pariss,
Patrick,
Phinizy of Monroe,
Phinizy of Richmond,
Pickett,
Pierce,
Pittman,
Pitts,
Pofford,
Ponder,
Prescott,
Price,
Reynolds,
Robinson,
Roddey,
Sharman,
Shell,
Shropshire of Chattooga,
Shropshire of Floyd,
Skelton,
Simmons of Pickens,
Sirmons,

Sisk,
Solomons,
Spence,
Stapleton,
Starr,
Stephens of Pierce,
Street,
Strickland of Forsyth,
Strickland of Tatnall,
Taliaferro,
Thomas of Whitfield,
Tidwell,
Tucker of Colquitt,
Turner of Hancock,
Usry,
Varnadoe,
Walton,
Webb,
Wellborn,
Willingham,
Williams of Chattooga,
Williams of Harris,
Williamson,
Winn of Cobb,
Winn of Gwinnett,
Wood,
Word,
Wright,
Yopp.
Young of Gordon,
Young of Irwin.

Those who voted in the negative are Messrs.:

Blalock,
Bryan,
Burnett,
Davis of Chattahoochee,
Davenport of Clay,
Fleming,
Fort of Wayne,
French,
Furlow,
Gaulden,
Glenn of Fulton,
Glenn of Oglethorpe,
Gray,
Hansell,
Harville,
Harris of Glynn,
Harris of McIntosh,
Hilliard,
Hines,
Humphries,
Jackson,
Johnson of Oglethorpe,
Lattimer of Appling,
McConnell of Catoosa,
McLeod,
Moore of Bulloch,
Mounger,
Reed,
Richardson of Lee,
Singleton,
Smith of Johnson,
Styles,
Thomas of Dooly,
Tucker of Laurens,
Whitehead,
Williams of McIntosh.

So the preamble and resolutions were adopted.

On motion of Mr. Alexander, of Upson, the Convention then adjourned till eleven o'clock to-morrow morning.

WEDNESDAY, MARCH 20, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Staley.

A quorum being present, the journal was read.

Mr. Hansell moved to reconsider so much of the journal of yesterday, as relates to the adoption of the preamble and resolutions of Mr. Bell, of Forsyth, relative to economy in the public expenditures and the multiplication of officers in the State and Federal Governments.

The motion prevailed, when, on motion, the resolutions were taken up.

Mr. Means offered the following as an amendment, and an additional resolution, which was received, to-wit:

Resolved, That this Convention recognises with sincere pleasure, and high approval, the practical application of the foregoing principles in the organization and outfit of the Confederate States, and rely with confidence on the wisdom and prudence of the proper authorities, for a proper and economical administration.

Mr. Whitehead moved to lay the resolutions on the table for the balance of the session.

The motion was lost, and the preamble and resolutions, as amended, were adopted.

Mr. Clarke, of Dougherty, laid on the table the following Ordinance, which was read:

AN ORDINANCE

To modify the Act of the General Assembly of 1859, relative to Bank Suspensions.

Be it ordained, That whenever a citizen shall present at the counter of any of the Banks of this State, a certificate of any collector of custom of this State, that said citizen is due such Collector for duties on goods, a specified amount, such Bank shall redeem in specie its own bills presented to an amount at most equal to such amount due for customs; *provided* such applicant shall, if required by the Bank,

swear that he is a citizen of this State, in good faith, owing said duties, and that he has not, in a similar manner, taken from any other Bank an amount which, with the amount then demanded, will exceed the amount covered by the Collector's certificate.

Be it further ordained, That this Ordinance shall continue in force until further action is taken by the General Assembly of this State, or the Congress of the Confederate States shall provide for the payment of the revenue in bills of solvent Banks.

Be it further ordained, That if any Bank shall refuse to redeem said bills in the manner aforesaid, it shall be liable to all the penalties in force, prior to said Act of the General Assembly of 1859.

Mr. Hill, of Troup, offered the following resolution, which, by unanimous consent, was taken up, read, and adopted:

Resolved, That the resolution in relation to *per diem* compensation, shall not exclude from compensation the delegate from Lincoln county to whom leave of absence was granted on account of sickness, which sickness was contracted while in attendance upon the Convention; but said delegate shall be entitled to full mileage and *per diem* pay.

On motion of Mr. Cobb, chairman of the Committee on the Constitution and Laws of the State, and of the United States, the report of said Committee, on the "Constitution of the State," was made the special order of the day, for to-morrow at 10 o'clock, A. M.

Mr. Roddey, from the Committee to arrange the Senatorial Districts, made the following report:

Mr. Roddey, from the Committee to whom was referred the duty of arranging the Senatorial Districts of this State, and to prepare an Ordinance therefor, reports the following

ORDINANCE:

The people of Georgia in Convention assembled do hereby declare and ordain, That the Senatorial Districts of this State shall be organized by counties as follows:

The first District shall consist of the counties of Chatham, Bryan and Effingham.

The second of Liberty, Tatnall and McIntosh.

The third of Wayne, Pierce and Appling.

The fourth of Glynn, Camden and Charlton.

The fifth of Coffee, Ware and Clinch.

The sixth of Echols, Lowndes and Berrien.

The seventh of Brooks, Thomas and Colquitt.

The eighth of Decatur, Mitchell and Miller.

The ninth of Early, Calhoun and Baker.

The tenth of Dougherty, Lee and Worth.

The eleventh of Clay, Randolph and Terrell.

The twelfth of Stewart, Webster and Quitman.

The thirteenth of Sumter, Schley and Macon.

The fourteenth of Dooly, Wilcox and Pulaski.

The fifteenth of Montgomery, Telfair and Irwin.

The sixteenth of Laurens, Johnson and Emanuel.

The seventeenth of Bulloch, Scriven and Burke.

The eighteenth of Richmond, Glasscock and Jefferson.

The nineteenth of Taliaferro, Warren and Greene.

The twentieth of Baldwin, Hancock and Washington.

The twenty-first of Twiggs, Wilkinson and Jones.

The twenty-second of Bibb, Monroe and Pike.

The twenty-third of Houston, Crawford and Taylor.

The twenty-fourth of Marion, Chattahoochee and Muscogee.

The twenty-fifth of Harris, Upson and Talbot.

The twenty-sixth of Spalding, Butts and Fayette.

The twenty-seventh of Newton, Walton and Clarke.

The twenty-eighth of Jasper, Putnam and Morgan.

The twenty-ninth of Wilkes, Lincoln and Columbia.

The thirtieth of Oglethorpe, Madison and Elbert.

The thirty-first of Hart, Franklin and Habersham.

The thirty-second of White, Lumpkin and Dawson.

The thirty-third of Hall, Banks and Jackson.

The thirty-fourth of Gwinnett, DeKalb and Henry.

The thirty-fifth of Clayton, Fulton and Cobb.

The thirty-sixth of Merriwether, Coweta and Campbell.

The thirty-seventh of Troup, Heard and Carroll.

The thirty-eighth of Haralson, Polk and Paulding.

The thirty-ninth of Cherokee, Milton and Forsyth.
The fortieth of Union, Towns and Rabun.
The forty-first of Fannin, Gilmer and Pickens.
The forty-second of Cass, Floyd and Chattooga.
The forty-third of Murray, Whitfield and Gordon.
The forty-fourth of Walker, Dade and Catoosa.

The Report was taken up and read.

Mr. Tidwell, from the same committee, offered the following as a minority

REPORT:

The 37th District shall be composed of the counties of Troup, Merriwether, and Heard; the 36th District, of Coweta, Fayette, and Clayton; the 34th District, of Fulton, Gwinnett, and DeKalb; the 35th District, of Cobb, Campbell, and Carroll; the 26th District, of Spalding, Henry, and Butts.

Mr. Chastain moved the previous question, which being seconded and sustained, the main question, to-wit: the adoption of the original Report, was put, and decided in the affirmative. So the Ordinance embraced therein, having been read twice, was adopted.

Mr. Glenn of Fulton, from the committee on the Constitution and Laws of the State, and the Constitution of the United States, to whom was referred the Resolution tendering a location for the Capitol of the Confederate States, reported the following Resolutions:

Resolved, That the Convention hereby expresses the willingness of the People of Georgia to cede a portion of the Territory of this State, not exceeding ten miles square, to the Government of the Confederate States, for a Capital and permanent seat of Government; and should the Confederate States select any portion of the Territory of this State for said purpose, the Legislature be, and it is hereby authorized to cede jurisdiction thereof; if, in their judgment, such cession be consistent with the interest and safety of the State.

Resolved, That the President of this Convention forward a certified copy of the above and foregoing Resolution to

the President of the Congress of the Provisional Government of the Confederate States.

The report was taken up, read, and adopted.

Mr. Cannon of Rabun laid upon the table the following Resolution, which was taken up, read and lost:

Resolved, That the Resolution relative to compensation, shall not exclude the delegate from Rabun county, who has been granted leave of absence on account of sickness, which sickness was contracted while returning from the session at Milledgeville.

Mr. Alexander of Upson offered the following Ordinance, which was taken up, and read:

AN ORLINANCE

To perfect the organization of the Senate of the State of Georgia:

Be it Ordained, by the People of Georgia, in Convention assembled, and it is hereby Ordained by authority of the same,

That when the Senate shall convene and organize, it shall as soon as practicable, proceed to divide the said Senators into two classes; one class to consist of the Senators chosen from the Districts which are known by having odd numbers, and the other class to consist of the Senators chosen from the Districts being known by even numbers—one class to hold their office for two years, and the other class for four years—the same to be determined by lot. At every subsequent election (which shall be bi-ennial,) each District of the class whose time it shall be to elect, shall choose its Senator, who shall hold his office for the term of four years.

Mr. Tidwell moved to refer the same to the committee on the Constitution and Laws.

The motion was lost.

Mr. Starr moved to strike out all in relation to the division of Senators, and the four years tenure, and insert "that the Senators shall be elected bi-enially."

Mr. Alexander of Upson moved the previous question,

which being seconded and sustained, the main question, to-wit: the passage of the Ordinance, was put, when the yeas and nays were demanded to be recorded.

There are yeas 88, nays 146.

Those who voted in the affirmative, are Messrs.

Adams of Camden,
Adams of Putnam,
Alexander of Fulton,
Alexander of Upson,
Allen,
Bartow,
Bell of Forsyth,
Beall of Troup,
Benning,
Black,
Brown of Houston,
Brown of Marion,
Bryan,
Burnett,
Calhoun,
Clarke,
Cobb,
Crawford of Richmond,
Davis of Chattahoochee,
Davis of Putnam,
Dewberry,
Ellington,
Fleming,
Fields,
Fort of Stewart,
Fort of Wayne,
Gaulden,
Gardner,
Garvin,
Glenn of Oglethorpe,
Giles,
Gordon,
Gray,
Harris of Hancock,
Harvey,
Hendricks,
Hilliard,
Hull,
Humphries,
Johnson of Jefferson,
Johnson of Oglethorpe,
Jones of Chatham,
Kenan,
Ketchum,
Lamar of Lincoln,
Lamar of Bibb,
Logan,
Lyle,
Manson,
Martin of Elbert,
Martin of Lumpkin,
McCulloch,
McDaniel,
Means,
Moor of Spalding,
Mounger,
Munnerlyn,
Neil of Talbot,
Nisbet,
Padget,
Phinizy of Monroe,
Phinizy of Richmond,
Pitts,
Porter,
Reese,
Richardson of Lee,
Robinson,
Roddey,
Rutherford,
Sharpe,
Shell,
Skelton,
Simms,
Singleton,
Solomons,
Spencer,
Stephens of Hancock,
Stephens of Taliaferro,
Strickland of Forsyth,
Thomas of Dooly,
Thomas of Whitfield,
Trippe,

Turner of Wilcox,
Varnadoe,
Willingham,
Wood,
Word,
Young of Gordon.

Those who voted in the negative are Messrs.

Algood,
Arnold,
Blalock,
Bowen,
Bozeman,
Brewton,
Briscoe,
Brown of Webster,
Bullard,
Bush,
Butts,
Byrd,
Cannon of Rabun,
Cannon of Wayne,
Cantrell,
Carson,
Carswell,
Casey,
Chastain,
Cheshier,
Cleaveland,
Cochran of Terrell,
Cochran of Wilkinson,
Coleman,
Corn,
Crawford of Greene,
Daniel,
Davenport of Clay,
Davenport of Sumter,
Day,
Dickerson,
Fain,
Farnsworth,
Fitzpatrick,
Ford,
Fouche,
Freeman,
Frier,
French,
Furlow,
Glenn of Fulton,
Glover,
Gunn,
Hale,
Hall,
Haines,
Hammond,
Hansell,
Harvill,
Harris of Glynn,
Harris of McIntosh,
Hawkins,
Head,
Henderson,
Hendry,
Herrington,
Hill of Troup,
Hines,
Hoyal,
Hood,
Howell,
Hudson of Gwinnett,
Hudson of Harris,
Huggins,
Hust,
Jackson,
Jennings,
Johnson of Clayton,
Johnson of Hall,
Jones of Burke,
Killgore,
Kimsey,
Kirkland,
Knox,
Lamb,
Lattimer of Appling,
Lattimer of Montgomery,
Low,
Lester,
Lindley,
Logue,
Mabry of Berrien,
Marshall,
Martin of Merriwether,
McConnell of Catoosa,
McConnell of Cherokee,

McDonald,
McLeod,
McRae,
Mershon,
Milton,
Moore of Bulloch,
Montgomery,
Morrow,
Overstreet,
Paris,
Patrick,
Pickett,
Pierce,
Pittman,
Pofford,
Ponder,
Poullain,
Prescott,
Price,
Ramsey of Clinch,
Ramsey of Muscogee,
Reed,
Reynolds,
Rice,
Saffold,
Sharmon,
Shropshire of Floyd,
Slater,
Simmons of Pickens,
Sirmons,
Sisk,
Smith of Johnson,
Spence,
Stapleton,
Starr,
Stephens of Pierce,
Street,
Strickland of Tatnall,
Styles,
Taliaferro,
Teasley,
Tidwell,
Tillman,
Tomlinson,
Tucker of Colquitt,
Tucker of Laurens,
Walton,
Webb,
Wellborn,
Whelchel,
Whitehead,
Williams of Chattooga,
Williams of Harris,
Williams of McIntosh,
Williamson,
Willis,
Winn of Cobb,
Wright,
Yopp,
Young of Irwin.

So the Ordinance was lost.

Mr. Martin of Lumpkin laid upon the table the following Preamble and Resolutions, which were taken up, and read:

Whereas, The Rev. Charles W. Thomas, a citizen of Georgia, and lately a Chaplain in the United States Navy, did, upon the secession of the State of Georgia, immediately resign his office in said United States Navy, thus acknowledging his duty and allegiance, both to Georgia and the South, as a true and devoted son. And whereas, in point of talents and attainments, whether as rendering him capable to honor his State, or serve the holy cause of religion, he stands inferior to none. And whereas, as well for his many years of laborious service, in doing good

among the soldiery of the sea, at many personal sacrifices, as his unabated desire to continue in a similar service under the Confederate States of America: And whereas, he was the first among his brother Chaplains, to approve the policy of the seceding States, by being first to resign his place in the old government. Therefore,

Resolved, That this Convention recommend him to the appointing power of the Confederate States of America, with the request that he receive the appointment of Senior Chaplain of the Navy, or such other rank or station, as his official character and merit deserves.

Resolved, That the Secretary forward a copy of the foregoing Preamble and Resolutions to the proper department of the Confederate States of America, having jurisdiction in the premises.

Mr. Bartow moved to refer the same to the committee on Military Affairs.

The motion did not prevail, and the Preamble and Resolutions were adopted.

Leave of absence was granted to Messrs. Hill of Hart, and McGriff.

Mr. Cobb moved that when the Convention proceed to consider the order of the day for to-morrow, it do so in secret session.

The motion prevailed.

The Convention then adjourned till 4 o'clock, P. M.

FOUR O'CLOCK, P. M.

The Convention met persuant to adjournment.

Mr. Hawkins asked leave of absence for the balance of the day, for the committee on the organization of the Congressional Districts.

The leave of absence was granted.

Mr. Phinizy of Monroe offered the following Resolution, which was taken up, read, and laid on the table for the present:

Resolved, That this Convention will adjourn on Friday, the 22nd inst.

Mr. Bartow from the committee on Military Affairs, laid on the table the following Ordinance, which was taken up, read twice, and adopted:

AN ORDINANCE

To transfer to the Government of the Confederate States, certain arms and munitions of war, and for other purposes.

The people of Georgia in Convention assembled do ordain,

SECTION 1st. That the control of all military operations in this State, having reference to or connection with questions between this State, or any of the Confederate States of America, and powers foreign to them, is hereby transferred to the Government of the Confederate States of America.

SEC. 2d. That the State of Georgia hereby transfers to the Government of the Confederate States of America, the arms and munitions of war, acquired from the United States, with the Forts and Arsenals, and which are now in the said Forts and Arsenals.

SEC. 3d. That the Governor of this State is hereby authorized to transfer to the Government of the Confederate States, such arms, munitions of war, vessels or steamers belonging to the States, as in his judgment may be expedient, and upon such terms as may be agreed on with the said Government of the Confederate States.

SEC. 4th. The transfer herein provided for, shall be conducted on the part of this State by the Governor thereof, the Government of the Confederate States undertaking to account for all such arms and munitions of war, as are hereby transferred.

He, also, from the same committee, reported the following ordinance, which was taken up, read twice, and adopted.

AN ORDINANCE

To transfer to the Provisional Government of the Confederate States of America, the use and occupancy of the Forts, Arsenals, Navy Yards, Custom Houses, and other public sites within the limits of this State.

The People of Georgia, in Convention assembled, do ordain,

That the Government of the Confederate States of America is hereby authorized to occupy, use, and hold possession of all Forts, Navy Yards, Arsenals, Custom Houses, and other public sites, with their appurtenances within the limits of this State, and lately in the possession of the United States of America, and to repair, rebuild, and control the same at its discretion, until this ordinance be repealed by a Convention of the people of this State.

Mr. Bartow laid on the table, the following memorial, which was read:

To the Honorable, the President and Members of the Georgia Convention.

The petition of the undersigned respectfully sheweth unto your honorable body, that by an ordinance passed on the———day————A. D. 1861, the Governor of Georgia was authorized to receive and commission into the service of this State, all officers of the Army and Navy, members of the Army and Navy of the United States who should resign, and tender their services to the Governor of this State.

That under the construction placed upon the ordinance by his Excellency the Governor, it appears that the services of your petitioner who recently resigned the position of Captain in the United States Navy, cannot, under said ordinance be accepted, and for this reason.

The ordinance referred to, appears to contemplate the appointment of only such officers as should resign from the *active list* of the United States Army and Navy. Your petitioner was on the *reserved list* of the United States Navy,

and from that list resigned his position of Captain as aforesaid.

Your petitioner respectfully submits, that at his own request, he was placed upon the reserve list. That he is not an invalid, but in the possession of sound health, and ready and able to perform any and every service which may be required of him, either at sea or upon shore. That he has been for more than fifty years actively engaged in the Naval service of the United States. That he is a native Georgian, and very desirous of again serving his State in her sovereign capacity, or as a naval officer in the Confederate Navy.

And your petitioner would further show unto your honorable body, that the reason why a retired list is used, is simply, where there is a redundancy of officers, and where advanced officers have been for a longtime actively engaged in the service, leave of absence is granted to such officers, in order to afford opportunty for recuiting themselves, and also to permit young officers to see the service, which will prepare them for any and every emergency.

And your petitioner would most respectfully and earnestly request that your Honorable body would authorize his Excellency the Governor, to receive your petitioner into the service of the State, upon the same terms, and with the same rank with the position in the United States Navy, from which your petitioner recently resigned.

And your petitioner hereby expresses himself ready and anxious to do and perform any and every active service that may be required of him.

And your petitioner would earnestly request that such a construction may be placed upon the said ordinance, as will relieve your petitioner from its application, and further that his Excellency, the Governor of Georgia, may be enabled under and by said ordinance and its provisions, to receive into the service of the State your petitioner in the manner within indicated.

And your petitioner as in duty bound will ever pray &c.,

Signed, THOS. M. NEWELL,
late Captain of the U. S. Navy.

Savannah, March 19th, 1861.

He then offered the following resolution, which was taken up, and read:

Resolved, That officers of the Navy on the retired list, shall be placed on the same footing as those on the active list, under the provision of an ordinance entitled an ordinance concerning officers of the Army and Navy heretofore passed by this Convention.

On motion of Mr. Kenan, the resolution was laid on the table.

On motion of Mr. Alexander, of Upson, the Convention then adjourned till ten o'clock to-morrow morning.

THURSDAY, MARCH 21, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Low.

A quorum being present, the journal was read, when Mr. Tidwell moved to reconsider so much of the journal of yesterday as relates to the adoption of the report of the Committee to organize the Senatorial Districts of the State, in relation to the rejection of his amendment, upon the adoption of the ordinance reported by said committee.

The motion was lost.

Mr. Briscoe, from the Committee on Enrollment made the following report, to-wit:

Mr. President:

The Committee on Enrollment report as duly enrolled, and ready for the signature of the President—

AN ORDINANCE

To transfer to the Provisional Government of the Confederate States of America, the use and occupancy of the Forts, Arsenals, Navy Yards, Custom Houses, and other public sites, within the limits of this State.

Also,

AN ORDINANCE

To transfer to the Government of the Confederate States, certain arms and munitions of war, and for other purposes.

Both of which were signed by the President, and deposited in the office of the Secretary of State.

On motion of Mr. Cobb, the Convention went into secret session, and having spent some time therein, adjourned, on motion of Mr. Cobb, till to-morrow morning nine o'clock.

FRIDAY, MARCH 22, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Williamson.

A quorum being present, the journal was read,

When leave of absence was granted to Mr. Stephens, of Monroe, and Messrs. Ramsey and Munnerlyn, who have been ordered to Pensacola with their companies, and also to Mr. Garvin, of Richmond.

Mr. Hull announced that he was authorized and requested by George Younge, Esq., the Superintendent of the Georgia Railroad, at Augusta, to tender the use of that road free of charge, to returning members and officers of the Convention.

On motion of Mr. Cobb, the Convention went into secret session, and having spent some time therein, adjourned till ten o'clock to-morrow morning.

SATURDAY, MARCH 23, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Landrum.

A quorum being present the journal was read.

The Convention then went into secret session, and having spent some time therein, adjourned at night, *sine die.*

IN SECRET SESSION

AT SAVANNAH.

SAVANNAH, MARCH 8, 1861.

The Convention, being in secret session, on motion of Mr. Rice, took up the following resolution:

Resolved, That a "Committee of Seven" be appointed to examine into the condition of the defences of the city of Savannah and its approaches; to enquire what additional defence, if any, may be necessary, and to report to this Convention at the earliest possible day.

Mr. Styles moved to amend the same by inserting after the word "*approaches*," the following: "*and along the coast of Georgia.*"

The motion was lost.

Mr. Shropshire, of Floyd, offered the following as a substitute for the foregoing resolution:

Resolved, That his Excellency, the Governor of this State, be requested to communicate to this Convention all the information in his possession relative to the condition of the defences of the State.

Which, on motion of Mr. Briscoe, was amended by adding the following:

"And that a committee of seven be appointed to examine into the condition of the defences of Savannah and its approaches; to inquire what additional defence, if any, may be necessary, and report thereon to this Convention at the earliest possible day."

On motion of Mr. Harris, of Glynn, the same was further amended by adding the following:

"And an additional Committee of Seven to enquire into the whole coast of the State."

The substitute, as amended, was received, when Mr. Styles moved that the Convention do now adjourn.

The motion was lost.

Mr. Roddey called for the "*previous question*," which being seconded and sustained, the main question was put, to-wit, upon the passage of original resolution of Mr. Rice, which was carried.

So the resolution was adopted.

The Convention then adjourned till eleven o'clock to-morrow morning.

FRIDAY, MARCH 15, 1861.

The Convention met in secret session, Mr. Hull in the Chair, when the following communication from his Excellency, Governor Brown, was taken up, read, and,

On motion of Mr. Glenn, of Fulton, was referred to the "Committee on Military Affairs," to-wit:

SAVANNAH, March 15th, 1861.

To the Convention:

While in session at Milledgeville, an ordinance was passed by the Conventian, which made it my duty to raise two regiments of regular troops in Georgia; which regiments were expected to be turned over to the General Government of the seceding States when formed, and to become a part of the regular Army of the Confederacy. The ordinance made it my duty, as far as practicable, to officer the regiments with Georgians, who were lately officers in the

United States Army, and who had or might resign, with the patriotic purpose of entering the service of this State. I was also directed to preserve the relative rank of all such officers.

In obedience to the commands of the Convention, I proceeded as fast as possible, with the organization of the regiments. In the selection of officers, I not only appointed every officer of the United States Army from Georgia, who had at the time resigned, but I appointed every one on the active list in the Army and Navy from Georgia. Some were in Oregon or Washington Territory, some on the coast of Africa, and one probably in India. These had not resigned; but I felt it my duty to reserve a place for each of them, till he could be heard from. I preserved the relative rank of each, by appointing no one of a lower grade, over any one of a higher grade; and I advanced each as far as it was in my power to do. The whole number however, was not sufficient to officer the two regiments. I was obliged therefore, to fill part of the places with gentlemen from civil life. This I did by the appointment of such gentlemen, as were, in my judgment, best qualified for the discharge of the duties of the respective positions assigned them. I may be here excused for remarking, that my conduct has been criticised and censured by some, because I appointed certain gentleman from civil life, to higher positions than I give some of the officers of the Army.

It is true that I have appointed gentlemen who were not officers in the United States Army, to higher positions than I have given to some who were officers of the Army. Had I pursued a different course, and appointed no one from civil life, till I had given each Army officer a place; I must have excluded gentlemen of anything like high position, who had age and experience, from any place in the regiments, as they could not have accepted positions below the lowest grades of Army officers. As an instance, I appointed Gen. Charles J. Williams, of Muscogee, who served with distinction in the war with Mexico, is the present Speaker of the House of Representives of the State, and a Brigadier General, to the position of Lieutenant Colonel of the first Regiment; and Col. E. W. Chastain, a member of this Convention, who has been a Representative in the Congress of the

late United States, from this State, and who commanded a regiment in the Florida war, as Lieutenant Colonel of the Second Regiment. I certainly could not, with any degree of propriety, have tendered either of these gentleman a place below a young gentleman recently graduated at West Point, who occupied the position of a Second Lieutenant only, in the United States Army.

I might mention other instances when such an appointment would have been equally improper. Had I refused to appoint any gentleman of position similar to those above mentioned, and given all the first places to Army officers, I must have filled all the remaining places with young gentlemen from civil life, who had but little experience. The result would have been, that the Army officers and the young gentlemen appointed from civil life, would have been alike in a great measure, strangers to our people; and could not probably have enlisted the regiments in two years. Indeed I may say, that nearly all the recruits obtained thus far, have been enlisted by officers appointed from civil life. Most of the recruits have enlisted because they knew those gentlemen, had confidence in them, and were willing to serve under them. They would not have enlisted under Army officers or strangers.

Between four and five hundred recruits have already been obtained, and others are coming in daily. Justice to them requires that they be permitted to go under those on the faith of whose command they enlisted, or that they be discharged. It has frequently been remarked that the appointments made by me, would not be recognized by the President. I have organized the regiments and made the appointments under the direction of the Convention of the people of this State, and must submit the question back to the authority under which I have acted, for instruction in the premises, in case the action of the authorities in this State is not recognized. I am informed by a member of the Convention, who had an interview with the President, that the regiments will be received for the three years for which they enlisted, but that the officers will not be accepted as permanent officers of the Army of the Confederate States. It is for the Convention to say upon what terms

they will consent to have these regiments and their officers received.

I have tendered them to the Secretary of War, and am prepared to follow any instructions which the representatives of the people, under whose authority I have acted, may think proper to give.

It will be borne in mind by members of the Convention, that the Legislature at its last session, authorized the Governor to accept the services of ten thousand volunteers. The Government of the Confederate States has assumed control of all military operations, which are to be conducted against foreign powers within the limits of any of the Confederate States. The State has reserved to itself however, the right to repel invasion, and to use military force in case of invasion or imminent danger thereof.

If we should be suddenly attacked by a large force, the first law of nature might require that we meet and expel the invaders without delay. In such an event, a thorough organization of the Volunteer force of the State, would be indispensable to prompt action. With a view to secure such organization, I have appointed Colonel Henry R. Jackson, of Chatham, Major General of the first division of Volunteer forces, and Paul J. Semmes of Muscogee, and William Phillips of Cobb, Brigadier Generals.

Col. William H. T. Walker, late of the United States Army, who has rendered most distinguished service on so many battle-fields, has also been appointed Major General of the second division. The first division will be organized as speedily as possible, and the officers called together for the purpose of drill; after which they will be ordered to hold the troops under their command in readiness as minute men, to be called into active service, should a sudden invasion, or a call from the Government of the Confederate States render it necessary. The companies will not, however, be taken into the pay of the State, till they are required for active service.

My sincere desire is to render to the government of the Confederate States, all the assistance in my power, in the prosecution of the noble work in which the representatives of a free and independent people are engaged. We must remember, however, that the government has but recently

been formed, and that time is necessary to the full development of its resources and the manifestation of its power. In the mean time, the State authorities should be actively engaged in preparation for self-defence, and should leave nothing undone which is necessary to advance the common cause in which we are all so vitally interested. I shall, to the extent of my ability, cheerfully and promptly carry into effect all instructions which the Convention may think proper to give upon this and other subjects.

I would enter more into detail in regard to our military preparations, but do not think that the public interest could at present be promoted by a public disclosure of plans and operations which, to be successful, must necessarily be private.

I respectfully suggest that the Convention authorize me, by the sale of State Bonds, or the use of Treasury notes, or both, to raise and expend such sums of money, in addition to the appropriation made by the Legislature, for military purposes, as the public exigencies may require.

JOSEPH E. BROWN.

Mr. Rice, from the "Committee of Seven," who had been appointed to examine into the condition of the defences of the city of Savannah and its approaches, to inquire what additional defence, if any, was necessary, made the following report, which was taken up, read, and,

On motion of Mr. Bartow, was referred to the "Committee on Military Affairs," to-wit:

The Committee appointed to examine into the condition of the defences of the city of Savannah and its approaches, and to enquire what additional defences, if any, may be necessary, having, as far as in their power, performed the duty assigned them, report as follows:

Having examined into the condition of the defences of the city of Savannah and its approaches, and having taken the opinions of persons skilled in such matters as to the sufficiency of those defences, your committee report that the defences of the city of Savannah and its approaches, in

their present condition, are entirely inadequte to its protection, and could not resist a strong hostile attack. This inadequacy of these defences arises mainly from a want of cannon, and especially from the want of guns of large calibre and long range. We are assured by those skilled in the science of defensive operations, that with a sufficiency of guns of the right kind, the defences could soon be rendered complete. The great difficulty has been, and continues to be, in procuring such guns as are needed for the defences. We learn from his Excellency, the Governor of the State, that he had a contract with an Iron Company in Pittsburg, Pa., for a number of such guns as are most needed, but that when the guns were made, such was the prejudice of the people of that city against the seceding States, that the contractors declined delivering the guns, and abandoned the contract. This delayed the obtaining the needed supply of guns. The Governor informs your committee that he is now procuring a supply of such guns as are most needed from Iron Works in the State of Virginia, as fast as the same can be manufactured and forwarded. The Government of the Confederacy having given notice to the States of the Confederacy that it will take charge of all Forts, Arsenals, &c., and of all military operations, it might seem to be the duty of that government to provide for the defence of Savannah, and of all exposed points of our State.

When, however, we recollect that the government of the Confederacy is, as yet, only a provisional government, that it has just been organized, and is as yet without money, or the means of providing for the common defence of all the States, except as the money is furnished to it by the States, and that the State of Georgia must therefore from the necessity of the case furnish the money to provide for her own defence, your committee think that the surest and the best way of doing so will be for the State to continue to purchase all the guns that may be needed for the defence of the State. These guns will then be the property of the State, and if at any time hereafter it should be deemed advisable that the same should be turned over to the government of the Confederacy, after a permanent government is formed, and that the government can receive and account for the guns on such terms as may be agreed on

between this State and the Confederate government. Your committee would therefore recommend the passage of an ordinance authorizing and instructing the Governor of this State to continue to purchase as fast as the same can be procured, all such guns as are or may be necessary for the defence of Savannah and its approaches, as well as for the defence of any other points on our seaboard, when the same may be needed.

It is of the first importance that we make sure the defence of our own State. Such moneys therefore as are intended for that purpose had best be applied directly to that purpose by our State.

In connection with the foregoing, your committee further state that the present want of cannon for our defences, and the difficulty of procuring them, led your committee into the consideration of the propriety of the adoption by the State of some measure by which an early and sure supply of arms may be obtained by the State. At present the State is, as above mentioned, procuring cannon from Iron Works in the State of Virginia. The present indications are that Virginia will, at least for some time, remain in the United States. If hostilities should occur between the United States and this Confederacy, the owner of those works in Virginia could not continue to furnish us with guns without a violation of the laws of the United States. There would, therefore, be great danger, in case war should occur between the United States and this Confederacy, that our supply of guns would be cut off at the very time when we might need them most. We could not, then, supply ourselves from Europe, because guns would then become contraband articles.

It is therefore a matter of the greatest importance that we adopt measures to secure a supply of large guns (and the same may be said of all munitions of war) by having the same manufactured in our own State. To accomplish this object, good policy as well as economy dictate the importance of our encouraging any person or persons who may be disposed to do so, to erect works for the manufacture of cannon, &c. The erection of such works would require capital, and men of capital will hesitate about em-

barking their capital in what would be in this State a new business, unless in some way secured against the probability of loss. For these reasons and many others which we could urge, your committee recommend that encouragement be given to the erection of works in this State for the manufacture of cannon, by the offer of a bonus to any person or company who shall, at the earliest day, erect works in this State for the manufacture and casting of cannon, and who shall agree to furnish the State at reasonable prices, such number of "Columbiads" and other cannon as the State may require. We recommend that the bonus be offered for the casting of "Columbiads", because that is the gun most needed for our defences. We feel assured that if the payment of such a bonus secure the State a supply of such guns as the State needs, it will be money well spent. We therefore recommend the passage of the "ordinance" herewith submitted.

AN ORDINANCE

To encourage the manufacture of cannon in this State.

Be it ordained, by the people of the State of Georgia by their delegates in Convention assmbled, and it is hereby ordained,

That the Governor of this State be, and he is hereby authorized to offer a bonus not exceeding ten thousand dollars to any person or company who shall erect a Foundry in this State for the casting of cannon, and who shall at the earliest day manufacture a ten inch "Columbiad," and shall agree to furnish thereafter the State at reasonable prices as many such guns and other large guns as shall be required by the State, at the rate of three guns per week, or such other number as may be agreed on, provided that said gun and guns shall be subject to inspection by a competent officer appointed by the Governor for that purpose.

The Convention then adjourned till ten o'clock to-morrow morning.

THURSDAY, MARCH 21, 1861.

The Convention met in secret session, when Mr. Cobb, from the Committee on the Constitution and Laws of the State, and the Constitution of the United States, to whom was referred the revision of the Constitution of the State, made the following Report:

THE CONSTITUTION OF THE STATE OF GEORGIA.

ARTICLE I.

Declaration of Fundamental Principles.

1. The fundamental principles of Free Government cannot be too well understood, nor too often recurred to.

2. God has ordained that men shall live under government; but as the forms and administration of civil government are in human, and therefore, fallible hands, they may be altered, or modified whenever the safety or happiness of the governed requires it. No government should be changed for light or transient causes; nor unless upon reasonable assurance that a better will be established.

3. Protection to person and property is the duty of Government; and a Government which knowingly and persistently denies, or withholds from the governed such protection, when within its power, releases them from the obligation of obedience.

4. No citizen shall be deprived of life, liberty or property, except by due process of law; and of life or liberty, only by the judgment of his peers.

5. The writ of "*Habeas Corpus*" shall not be suspended, unless in case of rebellion or invasion, the public safety may require it.

6. The right of the people to keep and bear arms shall not be infringed.

7. No religious test shall be required for the tenure of any office; and no religion shall be established by law; and no citizen shall be deprived of any right or privilege by reason of his religious belief.

8. Freedom of thought and opinion, freedom of speech, and freedom of the press, are inherent elements of political liberty. But while every citizen may freely speak, write and print, on any subject, he shall be responsible for the abuse of the liberty.

9. The right of the people to appeal to the courts; to petition Government on all matters of legitimate cognizance; and peaceably to assemble for the consideration of any matter of public concern—shall never be impaired.

10. For every right, there should be provided a remedy; and every citizen ought to obtain justice without purchase, without denial, and without delay—conformably to the laws of the land.

11. Every person charged with an offence against the laws of the State shall have the privilege and benefit of counsel:

Shall be furnished, on demand, with a copy of the accusation, and with a list of the witnesses against him:

Shall have compulsory process to obtain the attendance of his own witnesses:

Shall be confronted with the witnesses testifying against him; and

Shall have a public and speedy trial by an impartial jury.

12. No person shall be put in jeopardy of life or liberty more than once for the same offence.

13. No conviction shall work corruption of blood, or general forfeiture of estate.

14. Excessive bail shall not be required; nor excessive fines imposed; nor cruel and unusual punishments inflicted.

15. The power of the courts to punish for contempt shall be limited by Legislative Acts.

16. A faithful execution of the laws is essential to good order; and good order in society is essential to liberty.

17. Legislative Acts in violation of the fundamental law are void; and the Judiciary shall so declare them.

18. *Ex post facto* laws, and laws impairing the obligation

of contracts, and retro-active legislation injuriously affecting the right of the citizen, are prohibited.

19. Laws should have a general operation; and no general law shall be varied in a particular case by special Legislation; except with consent of all persons to be affected thereby.

20. The right of taxation can be granted only by the people; and shall be exercised only to raise revenue for the support of Government, to pay the public debt; to provide for the common defence, and for such other purposes as are specified in the grant of powers.

21. In cases of necessity, private ways may be granted upon just compensation being first paid; and with this exception, private property shall not be taken except for public use; and then, only upon just compensation; such compensation, except in cases of pressing necessity, to be first provided and paid.

22. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place or places to be searched, and the persons and things to be seized.

23. Martial law shall not be declared, except in cases of extreme necessity.

24. Large standing armies, in time of peace, are dangerous to liberty.

25. No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner prescribed by law.

26. The person of a debtor shall not be detained in prison after delivering *bona fide* all his estate for the use of his creditors.

27. All powers not delegated to the Government expressly, or by necessary implication are reserved to the people of the State; and in all doubtful cases the denial of the grant is the ground safest for the liberty of the people.

28. The enumeration of rights herein contained shall not

be construed to deny to the people any inherent rights which they have hitherto enjoyed.

29. This declaration is a part of this Constitution, and shall never be violated on any pretence whatever.

ARTICLE II.

SECTION 1.

1. The Legislative, Executive and Judicial departments, shall be distinct; and each department shall be confided to a separate body of magistracy. No person or collection of persons, being of one department, shall exercise any power properly attached to either of the others; except in cases herein expressly provided.

2. The Legislative power shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives.

3. The meeting of the General Assembly shall be annual, and on the first Wednesday in November, until such day of meeting shall be altered by law. A majority of each House shall constitute a quorum to transact business; but a smaller number may adjourn from day to day, and compel the attendance of their members in such manner as each House shall prescribe. No session of the General Assembly shall continue for more than forty days, unless the same shall be done by a vote of two-thirds of each branch thereof.

4. The compensation of the members and officers of the General Assembly shall be fixed by law, at the first session, subsequent to the adoption of this Constitution: and the same shall not be increased so as to affect the compensation of the members or officers of the Assembly by which the increase is adopted.

5. No person holding any military commission or other appointment, having any emolument or compensation annexed thereto, under this State or the Confederate States, or either of them, (except Justices of the Inferior Court, Justices of the Peace and officers of the militia), nor any defaulter for public money, or for legal taxes required of him, shall have a seat in either branch of the General Assembly; nor shall any Senator or Representative, after his qualification as such, be elected to any office or appoint-

ment by the General Assembly having any emoluments or compensation annexed thereto, during the time for which he shall have been elected.

6. No person convicted of any felony before any Court of this State, or of the Confederate States, shall be eligible to any office or appointment of honor, profit or trust, within this State.

7. No person who is a collector or holder of public money, shall be eligible to any office in this State, until the same is accounted for and paid into the Treasury.

SECTION 2.

1. The Senate shall consist of forty-four members, one to be chosen from each senatorial district, which district shall be composed of three contiguous counties. If a new county is established, it shall be added to a district which it adjoins until there shall be another arrangement of the senatorial districts. The senatorial districts shall not be changed by the Legislature, except when a new census shall have been taken.

2. No person shall be a Senator who shall not have attained to the age of twenty-five years, and be a citizen of the Confederate States, and have been for three years an inhabitant of this State.

3. The presiding officer shall be styled the President of the Senate, and shall be elected by ballot, from their own body.

4. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation; and no person shall be convicted without the concurrence of two-thirds of the members present. Judgment, in cases of impeachment, shall not extend further than removal from office and disqualification to hold and enjoy any office of honor, profit or trust within this State; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment and punishment according to law.

SECTION 3.

1. The House of Representatives

2. No person shall be a Representative who shall not have attained to the age of twenty-one years, and be a citizen of the Confederate States, and have been for three years an inhabitant of this State.

3. The presiding officer of the House of Representatives shall be styled the Speaker, and shall be elected by ballot from their own body.

4. They shall have the sole power to impeach all persons who have been or may be in office.

5. All bills for raising revenue, or appropriating money, shall originate in the House of Representatives; but the Senate may propose or concur in amendments, as in other bills.

Section 4.

1. Each House shall be the judge of the election, returns, and qualifications of its own members; and shall have power to punish them for disorderly behavior or mis-conduct, by censure, fine, imprisonment or expulsion; but no member shall be expelled except by a vote of two-thirds of the House from which he is expelled.

2. Each House may punish, by imprisonment not extending beyond the session, any person not a member, who shall be guilty of a contempt, by any disorderly behavior in its presence; or who, during the session, shall threaten injury to the person or estate of any member, for anything said or done in either House; or who shall assault any member therefor; or who shall assault or arrest any witness going to or returning therefrom; or who shall rescue, or attempt to rescue, any person arrested by order of either House.

3. The members of both Houses shall be free from arrest, except for treason, felony, or breach of the peace, during their attendance on the General Assembly, and in going to and returning therefrom. And no member shall be liable to answer, in any other place, for anything spoken in debate in either House.

4. Each House shall keep a journal of its proceedings, and publish them immediately after its adjournment. The yeas and nays of the members on any question, shall, at the desire of one-fifth of the members present, be entered on the journals. The original journals shall be preserved (after

publication) in the office of the Secretary of State; but there shall be no other record thereof.

5. Every bill, before it shall pass, shall be read three times and on three separate and distinct days in each House, unless in cases of actual invasion or insurrection. Nor shall any law or ordinance pass which refers to more than one subject matter, or contains matter different from what is expressed in the title thereof.

6. All Acts shall be signed by the President of the Senate and the Speaker of the House of Representatives; and no bill, ordinance, or resolution intended to have the effect of law, which shall have been rejected by either House, shall be again proposed under the same or any other title, without the consent of two-thirds of the House by which the same was rejected.

7. Neither House shall adjourn for more than three days, nor to any other place, without the consent of the other; and in case of disagreement between the two Houses, on a question of adjournment, the Governor may adjourn them.

8. Every Senator and Representative, before taking his seat, shall take an oath or affirmation to support the Constitution of the Confederate States and of this State; and also, that he hath not practiced any unlawful means, either directly or indirectly, to procure his election. And every person convicted of having given or offered a bribe, shall be disqualified from serving as a member of either House for the term for which he was elected.

9. Whenever this Constitution requires an Act to be passed by two-thirds of both Houses, the yeas and nays on the passage thereof shall be entered on the journals of each.

SECTION 5.

1. The General Assembly shall have power to make all laws and ordinances, consistent with this Constitution and not repugnant to the Constitution of the Confederate States, which they shall deem neceesary and proper for the welfare of the State.

2. They may alter the boundaries of counties, and lay off and establish new counties; but every bill to establish a new county shall be passed by at least two-thirds of the mem-

bers present, in each branch of the General Assembly.

3. They shall provide for the taking of a census or enumeration of the people of this State, at regular decades of years, commencing at such times as they may prescribe.

4. The General Assembly shall have power to appropriate money for the promotion of learning in one or more seminaries, and to provide for the education of the people.

5. The General Assembly shall have power to grant pardons in cases of conviction for treason, or murder.

SECTION 6.

1. The General Assembly shall have no power to grant corporate powers and privileges to private companies, except to banking, insurance, railroad, canal, plank road, and telegraph companies; nor to make or change election precincts; nor to establish bridges and ferries; nor to change names, or legitimate children; but shall by law prescribe the manner in which such power shall be exercised by the Courts. But no bank charter shall be granted or extended, and no Act passed authorizing the suspension of specie payment by any chartered bank, except by a vote of two-thirds of both branches of the General Assembly.

2. No money shall be drawn from the Treasury of this State, except by appropriation made by law; and a regular statement and account of the receipt and expenditure of all public money shall be published from time to time.

3. No vote, resolution, law or order shall pass, granting a donation or gratuity in favor of any person, except by the concurrence of two-thirds of the General Assembly.

4. No law shall be passed by which a citizen shall be compelled, directly or indirectly, to become a stockholder in, or contribute to a rail road or other work of internal improvement, without his consent; except the inhabitants of a corporate town or city, where the improvements are to be made within the corporate limits, or for corporate purposes. This provision shall not be construed to deny the power of taxation for the purpose of making levees or dams to prevent the overflow of rivers.

5. The General Assembly shall not, except by a vote of

two-thirds of both branches, by the loan of money, or bonds or in any other way, pledge the funds or credit of the State for any purpose except the support of Government.

Section 7.

1. The importation or introduction of negroes from any foreign country, other than the slave-holding States or Territories of the United States of America, is forever prohibited.

2. The General Assembly may prohibit the introduction of negroes from any State; but they shall have no power to prevent immigrants from bringing their slaves with them.

3. The General Assembly shall have no power to pass laws for the emancipation of slaves, without the consent of each of their respective owners, previous to such emancipation.

4. Any person who shall maliciously kill or maim a slave, shall suffer such punishment as would be inflicted in case the like offence had been committed on a free white person.

ARTICLE III.

Section 1.

1. The executive power shall be vested in a Governor, who shall hold his office during the term of two years, and until such time as a successor shall be chosen and qualified. He shall have a competent salary fixed by law, which shall not be increased or diminished during the period for which he shall have been elected; neither shall he receive, within that period, any other emolument from the Confederate States, or either of them, or from any foreign power.

2. The Governor shall be elected by the persons qualified to vote for members of the General Assembly, on the first Wednesday in October, in the year of our Lord 1861; and on the first Wednesday in October in every second year thereafter, until such time be altered by law; which election shall be held at the places of holding general elections, in the several counties of this State, in the manner prescribed for the election of members of the General Assembly. The returns for every election of Governor

shall be sealed up by the managers, separately from other returns, and directed to the President of the Senate and Speaker of the House of Representatives; and transmitted to the Governor, or the person exercising the duties of Governor for the time being; who shall, without opening the said returns, cause the same to be laid before the Senate, on the day after the two houses shall have been organized; and they shall be transmitted by the Senate to the House of Representatives. The members of each branch of the General Assembly shall convene in the Representative chamber, and the President of the Senate, and the Speaker of the House of Representatives, shall open and publish the returns in presence of the General Assembly; and the person having the majority of the whole number of votes given in, shall be declared duly elected Governor of this State; but if no person have such majority, then from the two persons having the highest number of votes, who shall be in life, and shall not decline an election at the time appointed for the Legislature to elect, the General Assembly shall immediately elect a Governor by joint ballot; and in all cases of election of a Governor by the General Assembly, a majority of the votes of the members present shall be necessary for a choice. Contested elections shall be determined by both Houses of the General Assembly, in such manner as shall be prescribed by law.

3. No person shall be eligible to the office of Governor who shall not have been a citizen of the Confederate States twelve years, and an inhabitant of this State six years, and who hath not attained the age of thirty years.

4. In case of the death, resignation, or disability of the Governor, the President of the Senate shall exercise the executive powers of the government until such disability be removed, or a successor is elected and qualified. And in case of the death, resignation, or disability of the President of the Senate, the Speaker of the House of Representatives shall exercise the executive power of the government until the removal of the disability or the election and qualification of a Governor.

5. The Governor shall, before he enters on the duties of his office, take the following oath or affirmation: "I do solemnly swear or affirm (as the case may be,) that I will

faithfully execute the office of Governor of the State of Georgia; and will, to the best of my abilities, preserve, protect and defend the constitution thereof."

SECTION 2.

1. The Governor shall be Commander-in-Chief of the army and navy of this State, and of the militia thereof.

2. He shall have power to grant reprieves for offences against the State, except in cases of impeachment, and to grant pardons, or to remit any part of a sentence, in all cases after conviction, except for treason or murder, in which cases he may respite the execution, and make report thereof to the next General Assembly.

3. He shall issue writs of elections to fill vacancies that happen in the Senate or House of Representatives, and shall have power to convene the General Assembly on extraordinary occasions; and shall give them, from time to time, information of the state of the republic, and recommend to their consideration such measures as he may deem necessary and expedient.

4. When any office shall become vacant by death, resignation, or otherwise, the Governor shall have power to fill such vacancy; and persons so appointed shall continue in office until a successor is appointed agreeably to the mode pointed out by this Constitution, or by law in pursuance thereof.

5. A person once rejected by the Senate shall not be reappointed by the Governor to the same office.

6. The Governor shall have the revision of all bills passed by both Houses, before the same shall become laws, but two-thirds of each House may pass a law notwithstanding his dissent; and if any bill should not be returned by the Governor within five days (Sundays excepted) after it has been presented to him, the same shall be a law, unless the General Assembly, by their adjournment, shall prevent its return. He may approve any appropriation and disapprove any other appropriation in the same bill, and the latter shall not be effectual unless passed by two-thirds of both Houses.

7. Every vote, resolution, or order, to which the concurrence of both Houses may be necessary, except on a ques-

tion of adjournment, shall be presented to the Governor; and before it shall take effect, be approved by him, or being disapproved, shall be re-passed by two-thirds of both Houses, according to the rules and limitations prescribed in case of a bill.

8. There shall be a Secretary of State, a Comptroller General, a Treasurer, and Surveyor-General, elected by the General Assembly, and they shall hold their offices for the like period as the Governor, and shall have a competent salary, which shall not be increased or diminished during the period for which they shall have been elected. The General Assembly may at any time consolidate any two of these offices, and require all the duties to be discharged by one officer.

9. The great seal of the State shall be deposited in the office of the Secretary of State, and shall not be affixed to any instrument of writing, but by order of the Governor or General Assembly; and the General Assembly shall, at their first session, after the rising of this convention, by law cause the great seal to be altered.

10. The Governor shall have power to appoint his own Secretaries, not exceeding two in number.

ARTICLE IV.

Section 1.

1. The Judicial powers of this State shall be vested in a Supreme Court for the correction of errors, a Superior, Inferior, and Justices' Courts, and in such other courts as the General Assembly shall from time to time ordain and establish.

2. The Supreme Court shall consist of three Judges, who shall be appointed by the Governor with the advice and consent of two-thirds of the Senate, for such term of years as shall be prescribed by law, and shall continue in office until their successors shall be appointed and qualified, removable by the Governor on the address of two-thirds of each branch of the General Assembly, or by impeachment and conviction thereon.

3. The said Court shall have no original jurisdiction, but shall be a court alone for the trial and correction of errors

in law and equity from the Superior Courts of the several circuits, and shall sit at least once a year, at a time prescribed by law, in each of one or more judicial districts, designated by the General Assembly for that purpose, at such point in each district as shall by the General Assembly be ordained, for the trial and determination of writs of error from the several Superior Courts included in such judicial districts.

4. The said Court shall dispose of and finally determine every case on the docket of such Court at the first or second term after such writ of error brought; and in case the plaintiff in error shall not be prepared at the first term of such Court after error brought, to prosecute the cause, unless precluded by some providential cause from such prosecution, it shall be stricken from the docket, and the judgment below shall stand affirmed.

SECTION 2.

1. The Judges of the Superior Courts shall be appointed in the same manner as Judges of the Supreme Court from the circuits in which they are to serve, for the term of six years, and shall continue in office until their successors shall be appointed and qualified, removable by the Governor on the address of two-thirds of each branch of the General Assembly, or by impeachment and conviction thereon.

2. The Superior Court shall have exclusive jurisdiction in all cases of divorce, both total and partial; but no total divorce shall be granted, except on the concurrent verdicts of two special juries. In each divorce case, the Court shall regulate the rights and disabilities of the parties.

3. The Superior Court shall also have exclusive jurisdiction in all criminal cases, except as relates to people of color, fines for neglect of duty, and for contempt of Court; for violations against road laws, and for obstructing water courses, which shall be vested in such judicature or tribunal as shall be or may have been pointed out by law; and except in all other minor offences committed by free white persons, and which do not subject the offender or offenders to loss of life, limb or member, or to confinement in the penitentiary; in all such cases, Corporation Courts, such as now exist, or may hereafter be constituted, in any incorpo-

rated city, or town, may be vested with jurisdiction, under such rules and regulations as the Legislature may hereafter by law direct.

4. All criminal cases shall be tried in the county where the crime was committed, except in cases where a jury cannot be obtained.

5. The Superior Court shall have exclusive jurisdiction in all cases respecting titles to land, which shall be tried in the county where the land lies.

6. It shall have appellate jurisdiction in all such cases as may be provided by law.

7. It shall have power to correct errors in inferior judicatories by writ of *certiorari*, and to grant new trials in the Superior Court on proper and legal grounds.

8. It shall have power to issue writs of mandamus, prohibition, scire facias, and all other writs which may be necessary for carrying its powers fully into effect.

9. The Superior and Inferior Courts shall have concurrent jurisdiction in all other civil causes; which shall be tried in the county where the defendant resides.

10. In cases of joint obligors, or joint promissors or copartners, or joint trespassers residing in different counties, the suit may be brought in either county.

11. In case of a maker and indorser or indorsers of promissory notes residing in different counties in this State, the same may be sued in the county where the maker resides.

12. The Superior and Inferior Courts shall sit in each county twice in every year, at such stated times as have been or may be appointed by the Legislature.

SECTION 3.

1. The judges shall have salaries adequate to their services fixed by law, which shall not be diminished during their continuance in office; but shall not receive any other perquisites or emoluments whatever, from parties or others, on account of any duty required of them.

2. There shall be a State's Attorney and Solicitors elected by the persons entitled to vote for members of the General Assembly,and commissioned by the Governor; who shall

hold their offices for the term of four years, or until their successors shall be elected and qualified, unless removed by sentence on impeachment, or by the Governor, on the address of two-thirds of each branch of the General Assembly. They shall have salaries adequate to their services fixed by law, which shall not be diminished during their continuance in office.

3. The Justices of the Inferior Courts shall be elected in each county by the persons entitled to vote for members of the General Assembly.

4. The Justices of the Peace shall be elected in each district by the persons entitled to vote for members of the General Assembly.

5. The powers of a Court of Ordinary and of Probate, shall be vested in an Ordinary for each county, from whose decisions there may be an appeal to the Superior Court, under regulations prescribed by law. The ordinary shall be *ex officio* clerk of said Court, and may appoint a deputy-clerk. The ordinary, as clerk, or his deputy, may issue citations and grant temporary letters of administration, to hold until permanent letters are granted; and said ordinary, as clerk, or his deputy, may grant marriage licenses. The ordinaries in and for the respective counties shall be elected, as other county officers are, on the first Wednesday in January, 1864, and every fourth year thereafter, and shall be commissioned by the Governor for the term of four years. In case of any vacancy of said office of ordinary, from any cause, the same shall be filled by election, as is provided in relation to other county officers, and until the same is filled, the clerk of the Superior Court for the time being shall act as clerk of said Court of Ordinary.

ARTICLE V.

1. The electors of Members of the General Assembly shall be free white male citizens of this State; and shall have attained the age of twenty-one years; and have paid all taxes which may have been required of them, and which they have had an opportunity of paying, agreeably to law, for the year preceding the election; and shall have resided six months within the district or county.

2. All elections, by the General Assembly, shall be by joint ballot of both branches; and when the Senate and House of Representatives unite for the purpose of electing, they shall meet in the Representative chamber, and the President of the Senate shall in such cases preside, receive the ballots and declare the person or persons elected.

3. In all elections by the people, the electors shall vote by ballot, until the General Assembly shall otherwise direct.

4. All civil officers shall continue in the exercise of the duties of their several offices, during the periods for which they were appointed, or until they shall be superseded by appointments made in conformity with this Constitution; and all laws now in force shall continue to operate, so far as they are compatible with this Constitution, until they shall expire, be altered or repealed; and it shall be the duty of the General Assembly to pass all necessary laws and regulations for carrying this Constitution into full effect.

5. All militia and county officers shall be elected by the people in such manner as the General Assembly may by law direct.

6. This Constitution shall be amended only by a Convention of the people called for that purpose. Such Convention shall consist of not more than one hundred and fifty delegates, and an equal number of delegates shall be chosen from and by each Congressional District as the same may exist at the time.

Which having been made the special order of the day for ten o'clock this morning, was read.

Mr. Garvin offered the following resolution, which was taken up, read, and adopted:

Resolved, That no delegate shall be allowed to speak longer than ten minutes on any question pending before the Convention—this rule to continue in force until the adjournment of this Convention.

On motion of Mr. Cobb, the first Article of the Constitution was taken up and read.

Mr. Bartow moved to strike out the word "*governed*" in the second section, and insert "*people*."

Mr. Fouche moved to insert the word "*citizen*" instead of "*people.*"

The motion to strike out did not prevail.

Mr. Benning moved to strike out of the 18th section the words "*and retroactive legislation injuriously affecting the right of the citizen.*"

The motion was lost.

On motion of Mr. Martin, the 21st section was re-committed to the reporting Committee, for the purpose of considering the following proposed amendment: "*and carrying water for the purpose of irrigation and drainage, working mines and machinery, shall be placed on the footing of private ways.*"

Mr. Benning moved to re-commit the sixth section to the reporting Committee.

The motion was lost.

He also moved to strike out of the eighth section the words, "*he shall be responsible for the abuse of the liberty,*" and insert the "the Legislature shall have power to declare what shall be an abuse of the privilege."

The motion was lost.

Mr. Mabry, of Heard, moved to amend the 26th section by adding after the word "*estate,*" the words "*according to law.*"

The motion was lost.

Mr. Benning moved to re-commit the second clause of the eleventh section to the reporting Committee, which was lost.

He also moved to re-commit the 17th section to the reporting Committee, which was lost.

Mr. Johnson moved to strike out the 27th section, which was lost.

The first Article of the Constitution, as amended, and excepting the references to the Committee, was then adopted.

On motion of Mr. Cobb, the second Article of the Constitution was taken up by sections.

The first section having been read, Mr. Kimsey moved to

amend the same by striking out the word "*annual*" in the third clause of said section, and inserting the word "*biennial.*"

The motion was lost.

On motion of Mr. Tidwell, the sixth clause of said section was re-committed to the reporting Committee.

The second section having been read, Mr. Reynolds moved to amend the same by adding "*and for one year a resident of the District from which he is chosen.*"

Upon which motion Mr. Arnold demanded that the yeas and nays be recorded. There are yeas 116; nays 112, to-wit:

Those who voted in the affirmative are Messrs.

Adams of Camden,
Algood,
Arnold,
Bell of Forsyth,
Bowen,
Brewton,
Briscoe,
Brown of Houston,
Brown of Marion,
Burnett,
Byrd,
Calhoun,
Cannon of Rabun,
Cannon of Wayne,
Carswell,
Chastain,
Corn,
Davenport of Sumter,
Day,
Fain,
Fleming,
Ford,
Freeman,
Frier,
French,
Gray,
Hale,
Hall,
Harville,
Harris of Glynn,
Hendry,
Hendricks,
Herrington,
Hines,
Hood,
Howell,
Hudson of Gwinnett,
Huggins,
Hull,
Humphries,
Jackson,
Johnson of Clayton,
Johnson of Jefferson,
Jones of Burke,
Killgore,
Kimsey,
Kirkland,
Knox,
Lattimer of Appling,
Lester,
Lindley,
Long,
Lyle,
Mabry of Berrien,
Mabry of Heard,
Martin of Elbert,
Martin of Lumpkin,
McDaniel,
McDonald,
McLain,

Means,
Mershon,
Milton,
Moore of Bulloch,
Montgomery,
Morrow,
Mounger,
Neal of Talbot,
Newton,
Overstreet,
Patrick,
Phinizy of Richmond,
Pickett,
Pierce,
Pittman,
Pofford,
Ponder,
Porter,
Poullain,
Prescott,
Price,
Ramsey of Clinch,
Reynolds,
Rice,
Robinson,
Sharman,
Sharpe,
Shell,
Shropshire of Floyd,
Simmons of Pickens,
Simms,
Singleton,
Sirmons,
Sisk,
Spence,
Spencer,
Starr,
Stephens of Pierce,
Street,
Strickland of Tatnall,
Styles,
Taliaferro,
Thomas of Whitfield,
Tillman,
Tomlinson,
Tucker of Colquitt,
Turner of Wilcox,
Webb,
Wellborn,
West,
Williams of Harris,
Williams of McIntosh,
Winn of Cobb,
Wood,
Wright,
Young, of Irwin,

Those who voted in the negative are Messrs.

Adams of Putnam,
Alexander of Fulton,
Alexander of Upson,
Allen,
Bailey,
Beasley,
Beall of Troup,
Benning,
Black,
Blalock,
Briggs,
Brown of Webster,
Bryan,
Bullard,
Bush,
Butts,
Cantrell,
Carson,
Casey,
Cheshier,
Cochran of Terrell,
Cobb,
Cody,
Coleman,
Crawford of Greene,
Crawford of Richmond,
Daniel,
Davis of Chattahoochee,
Davenport of Clay,
Dewberry,
Dickerson,
Farnsworth,
Fields,
Fouche,

Gaulden,
Gardner,
Garvin,
Glenn of Fulton,
Glenn of Oglethorpe,
Glover,
Giles,
Gordon,
Gresham,
Gunn,
Haines,
Hansell,
Harris of Hancock,
Harvey,
Hawkins,
Head,
Henderson,
Hill of Troup,
Hilliard,
Hoyal,
Hudson of Harris,
Hust,
Johnson of Hall,
Johnson of Oglethorpe,
Jones of Chatham,
Jordan,
Kenan,
Ketchum,
Lamar of Lincoln,
Lamar of Bibb,
Lamb,
Low,
Logan,
Logue,
Manson,
Marshall,
McConnell of Catoosa,
McConnell of Cherokee,
McCulloch,
McRae,
Moor of Spalding,
Neal of Columbia,
Padget,
Paris,
Phinizy of Monroe,
Pitts,
Ramsey of Muscogee,
Reed,
Reese,
Richardson of Lee,
Roddey,
Rutherford,
Saffold,
Shropshire of Chattooga,
Skelton,
Smith of Johnson,
Solomons,
Stapleton,
Stephens of Hancock,
Stephens of Monroe,
Stephens of Taliaferro,
Strickland of Forsyth,
Thomas of Dooly,
Tidwell,
Trippe,
Troup,
Tucker of Laurens,
Usry,
Walton,
Whelchel,
Whitehead,
Willingham,
Williams of Chattooga,
Williamson,
Willis,
Word,
Young of Gordon,

So the amendment was received.

On motion of Mr. Cobb, the Convention then adjourned till 9 o'clock, to-morrow morning.

FRIDAY, MARCH 22, 1861.

The Convention met in secret session.

The journal in secret session of yesterday, was read, when Mr. Johnson of Jefferson moved to reconsider so much of it, as relates to his motion to strike out the 27th Section of the 1st Article of the Constitution of the State of Georgia, as reported by the reporting committee, and adopted on yesterday.

The motion prevailed.

Mr. Low moved to reconsider so much of the journal of of yesterday, as relates to the incorporation of the first clause of the second section of the second article of the Constitution therein, which was offered as an amendment to the report of the committee, by Mr. Cobb.

The motion was lost.

Mr. Johnson of Jefferson then moved to strike out the 27th section of the first article of the Constitution, as reported by the committee, and adopted on yesterday.

The motion prevailed, and the section was stricken out.

Upon the reading of the 3rd clause of the 2nd section of the 2nd Article of the Constitution, Mr. Hood moved to strike out the words, "by ballot," and insert "*viva voce.*"

The motion prevailed.

Mr. Hood moved to strike out the words "by ballot" in the third clause of the second section of the Constitution, and insert "*viva voce.*"

The motion prevailed.

The third section of the second article of the Constitution was taken up, when Mr. Cobb moved to fill the blank with the following as the first section thereof.

The House of Representatives shall be composed as follows:

The thirty-seven counties having the largest representative population shall have two representatives each. Every other county shall have one representative. The designation of the counties entitled to two representatives shall be made by the General Asiembly immediately after the taking of each census.

The motion was adopted.

On motion of Mr. Reynolds, the second clause of the third section of the second article, was amended by adding the words, "and for one year a resident of the county which he represents."

On motion of Mr. Cobb, the words "by ballot" was stricken out, and "*viva voce*," inserted in lieu thereof, in the third clause of the same section and article.

The fourth section of the second article was taken up.

On motion of Mr. Cobb, the third clause of the same was amended so as to strike out after the word "arrest," the words "except for treason, felony, or breach of the peace," and insert "therefrom."

The fifth section being under consideration, Mr. Johnson of Jefferson moved to strike out "at least two-thirds," where these words occur in the second clause, and insert "a majority," in lieu thereof.

The motion to strike out was lost.

On motion of Mr. Cobb, the words "both branches" where they occur in the said clause, was stricken out, and "each branch," inserted in lieu thereof.

Mr. Fouche moved to strike out, in the fourth clause of the said section, after the word "learning, and to provide for the education of the people," the words "in one or more seminares," and insert the words "and science," in lieu thereof.

The motion prevailed.

Mr. Hawkins moved further to amend the same by adding after the word "people," the words "by a vote of two-thirds of both branches thereof."

Whereupon Mr. Cobb called for the previous question, which being seconded and sustained, the main question, to-wit: the adoption of the said clause as amended—was put, and carried.

So the fourth clause as amended was adopted.

The fifth clause of the same section was read, when Mr. Fleming moved, after the word "treason," to insert "and to pardon or commute in cases of final conviction for murder," and to strike out the words "or murder," at the end of the clause.

The motion prevailed.

On motion the fifth clause was further amended by in-

serting after the word "power," the following words: "by a vote of two-thirds of each branch."

Mr. Thomas offered the following as a substitute for the original clause as amended:

The Senate alone by a vote of two-thirds thereof, shall have power to grant pardons in cases of convictions for treason or murder.

The substitute was lost, and the said fifth clause, as amended, was adopted.

The sixth section of the second article, was taken up.

The first clause of said section being under consideration, Mr. Fouche offered the following as a substitute therefor:

The General Assembly shall have no power to pass any Act authorizing a suspension of specie payment, or to legalize any such suspension by any chartered bank. No bank charter shall be granted, or extended, except by a vote of two-thirds of each branch of the General Assembly. They shall have no power to grant corporate powers and privileges to private companies, except to banking, insurance, rail road, canal, plank road, and telegraph companies, nor to make or change names, or to legitimate children, but shall by law prescribe the manner in which such power shall be exercised by the Courts.

Mr. Jackson called for the previous question, which being seconded and sustained, the main question, to-wit: the passage of the original clause, was put and decided in the affirmative.

On motion of Mr. Cobb, the clause was amended by striking out the words "both branches" where they occur in said clause, and by inserting the words "each branch" in lieu thereof, and by inserting after the words "plank roads," the following words: "navigation, mining, express, lumber"

Mr. Cobb also moved to amend the third clause in a similar manner as to the words "both branches."

The motion prevailed.

The fourth clause being under consideration, Mr. Johnson, of Hall, moved to strike it out.

Mr. Nisbet moved to strike out the words "where the

improvements are to be made within the corporate limits, or for corporate purposes."

The motion to strike out prevailed, and the clause as amended, was adopted.

The fifth clause being under consideration, Mr. Chastain moved to strike out the same.

Upon which motion the yeas and nays were demanded to be recorded.

There are yeas 125, nays 102, to-wit:

Those who voted in the affirmative are Messrs.

Adams of Camden,
Adams of Putnam,
Algood,
Bailey,
Bowen,
Bozeman,
Brewton,
Briggs,
Brown of Houston,
Brown of Marion,
Bryan,
Bush,
Butts,
Byrd,
Cannon of Rabun,
Cannon of Wayne,
Carswell,
Chastain,
Cheshier,
Clarke,
Cleveland,
Cochran of Terrell,
Coleman,
Corn,
Daniel,
Davis of Putnam,
Day,
Dewberry,
Fain,
Farnsworth,
Fleming,
Fields,
Ford,
Fort of Wayne,
Freeman,
Frier,
Gaulden,
Glenn of Fulton,
Giles,
Gordon,
Hale,
Hall,
Hammond,
Hansell,
Harvill,
Harris of Glynn,
Harris of McIntosh,
Hawkins,
Henderson,
Hendry,
Hendricks,
Herrington,
Hill of Troup,
Howell,
Hudson of Gwinnett,
Huggins,
Jackson,
Johnson of Clayton,
Johnson of Hall,
Johnson of Jefferson,
Jones of Chatham,
Ketchum,
Kimsey,
Knox,
Lamb,
Lattimer of Appling,
Lattimer of Montgomery,
Mabry of Berrien,
Mabry of Heard,
Martin of Lumpkin,

McConnell of Cherokee,
McDonald,
McLain,
McLeod,
McRae,
Mershon,
Milton,
Mounger,
Nisbet,
Overstreet,
Padget,
Paris,
Patrick,
Pickett,
Pierce,
Pitts,
Pofford,
Ponder,
Prescott,
Price,
Ramsey of Clinch,
Reed,
Rice,
Richardson of Lee,
Sharpe.
Shropshire of Chattooga,
Skelton,
Simmons of Pickens,
Simms,
Sirmons,
Sisk,
Spencer,
Stapleton,
Starr,
Stephens of Hancock,
Stephens of Pierce,
Strickland of Forsyth,
Strickland of Tatnall,
Styles,
Thomas of Whitfield,
Tillman,
Tomlinson,
Trippe,
Troup,
Tucker of Colquitt,
Turner of Wilcox,
Walton,
Waterhouse,
Webb,
Wellborn,
Whelchel,
Williams of McIntosh,
Williamson,
Yates,
Young of Irwin.

Those who voted in the negative are Messrs.

Alexander of Fulton,
Alexander of Upson,
Allen,
Anderson,
Arnold,
Beasley,
Bell of Forsyth,
Beall of Troup,
Benning,
Black,
Blalock,
Briscoe,
Bullard,
Cantrell,
Carson,
Casey,
Cobb,
Cody,
Crawford of Greene,
Crawford of Richmond,
Davis of Chattahoochee,
Davenport of Clay,
Dickerson,
Fort of Stewart,
Fouche,
French,
Furlow,
Garvin,
Gholston,
Glenn of Oglethorpe,
Glover,
Gray,
Gresham,
Gunn,
Haines,
Harris of Hancock,

Harvey,
Hilliard,
Hines,
Hoyal,
Hood,
Hudson of Harris,
Hull,
Humphries,
Hust,
Jennings,
Johnson of Oglethorpe,
Jones of Burke,
Jordan,
Kenan,
Killgore,
Lamar of Lincoln,
Lamar of Bibb,
Low,
Lester,
Lindley,
Logan,
Logue,
Long,
Lyle,
Manson,
Marshall,
McConnell of Catoosa,
McCulloch,
McDaniel,
Means,
Moore of Bulloch,
Moor of Spalding,
Montgomery,
Morrow,
Neal of Columbia,
Neal of Talbot,
Phinizy of Monroe,
Phinizy of Richmond,
Pittman,
Porter,
Poullain,
Reese,
Reynolds,
Robinson,
Roddey,
Rutherford,
Saffold,
Sharman,
Singleton,
Smith of Johnson,
Solomons,
Spence,
Street,
Taliaferro,
Tidwell,
Toombs,
Tucker of Laurens,
Varnadoe,
Willingham,
Williams of Harris,
Willis,
Winn of Cobb,
Word,
Wright,
Yopp,
Young of Gordon.

So the motion to strike out prevailed.

The seventh section of the second article of the Constitution was then taken up.

The third clause of the same being up for consideration, Mr. Styles moved to strike out all after the word "slaves" where it occurs therein.

The motion prevailed.

Mr. Thomas moved to add the words "except by a unanimous consent of the General Assembly."

The motion was lost and the clause as amended was adopted.

On motion of Mr. Cobb, the second article of the Constitution as amended, was adopted.

The third article was then taken up.

The first section having been read, Mr. Patrick moved the following amendment to the first clause thereof:

"The Governor shall receive a salary of three thousand dollars, which shall not be increased or diminished during the period for which he shall have been elected."

The amendment was lost.

On motion of Mr. Cobb, the words "*viva voce*," was inserted in the second clause, in lieu of the words "joint ballot."

The second section being up for consideration, Mr. Cobb moved after the word "vacancy," in the fourth clause, to insert the words "unless otherwise provided by law."

The motion prevailed.

Mr. Clarke moved to insert "elections," before the word adjournment," in the seventh clause, which motion prevailed.

On motion of Mr. Cobb, the third article of the Constitution, as amended, was adopted.

The fourth article was taken up.

On motion of Mr. Cobb, the word "Ordinary," was inserted, after the word "Inferior" in the first clause, of the first section, of said article; and after the word "Courts," the words composing the remainder of the original clause to be stricken out, and the following to be inserted: "as have been or may be established by law."

Mr. Carswell moved to amend the second clause of the first section of said article as follows:

To strike out the words "appointed by the Governor, with the advice and consent of two-thirds of," and insert the words, "elected by."

Mr. Patrick offered the following amendment to said clause:

The Supreme Court shall consist of three, who shall be elected by the persons qualified to vote for members of the General Assembly, on the first Wednesday in October, in the year of our Lord 1861, and on the first Wednesday

in October, every fourth year thereafter—which election shall be conducted at the time and places, and in the same manner, as for Governor, and shall receive a salary of $3,000, annually, for their services.

Mr. Singleton called for the previous question.

The call was not sustained.

The Convention then adjourned till 4 o'clock, P. M.

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4 O'CLOCK, P. M.

The Convention met pursuant to adjournment, and resumed the consideration of the unfinished business of the morning.

Mr. Hawkins offered the following as a substitute for the amendments offered to the second clause of the first section, of the fourth article of the Constitution, and the original clause, to-wit:

The Supreme Court shall consist of three Judges, who shall be elected by the Legislature, for the term of six years, and shall continue in office until their successors are elected and qualified, removable by impeachment and conviction thereon.

The amendment offered by Mr. Carswell was taken up.

Mr. Johnson, of Jefferson, moved to adopt as a substitute for all, the following:

"The Supreme Court shall consist of three Judges, who shall be elected by the Legislature for such term of years as shall be prescribed by law, and shall continue in office until their successors shall be elected and qualified, removable by the Governor on the address of two-thirds of both branches of the General Assembly for that purpose, or by impeachment and conviction thereon."

Upon which motion, Mr. Hood demanded that the yeas and nays be recorded.

There are yeas 63; nays 151, to-wit:

Those who voted in the affirmative are Messrs.

Bailey,
Beasley,
Brewton,
Briscoe,
Brown of Marion,
Butts,
Carswell,
Chastain,
Cheshier,
Cleveland,
Cochran of Terrell,
Corn,
Day,
Giles,
Gordon,
Hale,
Hammond,
Harris of Glynn,
Harris of McIntosh,
Hawkins,
Hendry,
Hendricks,
Herrington,
Hood,
Huggins,
Johnson of Clayton,
Johnson of Hall,
Johnson of Jefferson,
Killgore,
Kimsey,
Knox,
Lamb,
Lattimer of Appling,
McDonald,
Mershon,
Milton,
Moore of Bulloch,
Montgomery,
Patrick,
Pickett,
Price,
Ramsey of Clinch,
Reynolds,
Rice,
Sharman,
Simmons of Pickens,
Simms,
Sirmons,
Sisk,
Spence,
Stapleton,
Strickland of Forsyth,
Strickland of Tatnall,
Styles,
Taliaferro,
Tidwell,
Tomlinson,
Tucker of Colquitt,
Turner of Wilcox,
Wellborn,
Williams of McIntosh,
Wright,
Yates,

Those who voted in the negative are Messrs.:

Adams of Camden,
Adams of Putnam,
Alexander of Fulton,
Alexander of Upson,
Algood,
Allen,
Anderson,
Arnold,
Bartow,
Bell of Banks,
Benning,
Black,
Blalock,
Bowen,
Briggs,
Brown of Houston,
Bryan,
Bullard,
Bush,
Byrd,
Cannon of Rabun,
Cantrell,

Carson,
Coleman,
Crawford of Greene,
Crawford of Richmond,
Daniel,
Davis of Chattahoochee,
Davenport of Clay,
Davenport of Sumter,
Dewberry,
Dickerson,
Fain,
Farnsworth,
Fleming,
Fields,
Ford,
Fort of Stewart,
Fort of Wayne,
Fouche,
Freeman,
French,
Furlow,
Gaulden,
Garvin,
Gholston,
Glenn of Fulton,
Glenn of Oglethorpe,
Glover,
Gray,
Gresham,
Gunn,
Haines,
Hansell,
Harris of Hancock,
Henderson,
Hill of Troup,
Hilliard,
Hines,
Howell,
Hudson of Gwinnett,
Hudson of Harris,
Hull,
Humphries,
Hust,
Jackson,
Jennings,
Johnson of Oglethorpe,
Jones of Burke,
Jones of Chatham,
Jordan,
Kenan,
Ketchum,
Lamar of Lincoln,
Lamar of Bibb,
Lattimer of Montgomery,
Low,
Lester,
Lindley,
Logan,
Logue,
Lyle,
Mabry of Berrien,
Mabry of Heard,
Manson,
Martin of Lumpkin,
McConnell of Catoosa,
McConnell of Cherokee,
McCulloch,
McDaniel,
McDowell,
McLain,
McLeod,
McRae,
Means,
Moor of Spalding,
Morrow,
Mounger,
Neal of Talbot,
Newton,
Nisbet,
Overstreet,
Padget,
Paris,
Phinizy of Monroe,
Phinizy of Richmond,
Pierce,
Pittman,
Pofford,
Ponder,
Porter,
Poullain,
Prescott,
Reed,
Reese,
Richardson of Lee,
Robinson,
Roddey,

Rutherford,
Saffold,
Sharpe,
Shropshire of Chattooga,
Skelton,
Singleton,
Solomons,
Spencer,
Starr,
Stephens of Hancock,
Street,
Thomas of Dooly,
Thomas of Whitfield,
Tillman,
Toombs,
Trippe,
Tucker of Laurens,
Usry,
Varnadoe,
Walton,
Waterhouse,
Webb,
Whelchel,
Whitehead,
Willingham,
Williams of Harris,
Williamson,
Willis,
Winn of Cobb,
Word,
Yopp,
Young of Gordon.
Young of Irwin.

So the substitute was lost.

Mr. Cobb called for the "previous question," which being seconded and sustained, the main question, to-wit: the adoption of the original clause, was put, and decided in the affirmative.

The third clause of said section and Article being under consideration, Mr. Fleming offered the following amendment:

To insert after the word "*time*," the words "*and place*," and to strike out all after the word "*law*," down to the word "*ordained*," and to strike out all after the word "*county*," and insert the words "*of this State*."

The amendment was lost.

On motion of Mr. Beall, of Forsyth, the word "*six*," in the first clause of the second section of said article was stricken out, and the word "*four*" inserted in lieu thereof.

Mr. Chastain moved to strike out the said clause, and insert in lieu thereof, "the provisions of the existing law regulating the election of the Judges of the Superior Courts."

Upon which motion the yeas and nays were demanded to be recorded.

There are yeas 100; nays 106, to-wit:

Those who voted in the affirmative, are Messrs.

Adams of Putnam,
Algood,
Arnold,
Bailey,
Black,
Blalock,
Bowen,
Brewton,
Briscoe,
Butts,
Byrd,
Cannon ot Rabun,
Cannon of Wayne,
Carson,
Chastain,
Cheshier,
Cleaveland,
Cochran of Terrell,
Coleman,
Corn,
Daniel,
Davenport of Sumter,
Day,
Dickerson,
Fain,
Fields,
Fort of Wayne,
French,
Gholston,
Gordon,
Hale,
Hall,
Harvill,
Harris of Glynn,
Harvey,
Hawkins,
Hendry,
Hendricks,
Herrington,
Hood,
Hudson of Gwinnett,
Hudson of Harris,
Huggins,
Johnson of Clayton,
Johnson of Hall,
Johnson of Jefferson,
Killgore,
Kimsey,
Knox,
Lamb,
Lattimer of Appling,
Lattimer of Montgomery,
Lester,
Marshall,
Martin of Lumpkin,
McConnell of Catoosa,
McConnell of Cherokee,
McDonald,
McLeod,
Milton,
Moore of Bulloch,
Montgomery,
Morrow,
Paris,
Patrick,
Pickett,
Pierce,
Pittman,
Pofford,
Ponder,
Prescott,
Price,
Ramsey of Clinch,
Reynolds,
Rice,
Richardson of Lee,
Robinson,
Sharman,
Simmons of Pickens,
Sirmons,
Sisk,
Spence,
Spencer,
Stapleton,
Street,
Strickland of Forsyth,
Strickland of Tatnall,
Styles,
Taliaferro,
Tomlinson,
Tucker of Colquitt,
Turner of Wilcox,

Webb,
West,
Whelchel,
Willingham,
Williams of Harris,
Wright,
Yates,
Yopp,

Those who voted in the negative are Messrs.

Adams of Camden,
Alexander of Fulton,
Alexander of Upson,
Anderson,
Bartow,
Bell of Forsyth,
Beall of Troup,
Benning,
Briggs,
Brown of Houston,
Brown of Marion,
Bryan,
Bullard,
Bush,
Cantrell,
Carswell,
Cobb,
Cody,
Crawford of Greene,
Crawford of Richmond,
Davis of Chattahoochee,
Davenport of Clay,
Dewberry,
Fleming,
Ford,
Fort of Stewart,
Fouche,
Furlow,
Gaulden,
Glenn of Oglethorpe,
Glover,
Giles,
Gray,
Gresham,
Gunn,
Harris of Hancock,
Harris of McIntosh,
Henderson,
Hill of Troup,
Hilliard,
Hines,
Howell,
Hull,
Humphries,
Hust,
Jackson,
Jennings,
Johnson of Oglethorpe,
Jones of Burke,
Jones of Chatham,
Kenan,
Ketchum,
Lamar of Lincoln,
Lamar of Bibb,
Low,
Lindley,
Logan,
Logue,
Lyle,
Mabry of Berrien,
Mabry of Heard,
Manson,
McCulloch,
McDaniel,
McRae,
Means,
Mounger,
Neil of Talbot,
Newton,
Nisbet,
Padget,
Phinizy of Monroe,
Phinizy of Richmond,
Porter,
Poullain,
Reed,
Reese,
Roddey,
Rutherford,
Saffold,
Sharpe,
Shropshire of Chattooga

Skelton,	Tucker of Laurens,
Simms,	Varnadoe,
Singleton,	Walton,
Smith of Johnson,	Waterhouse,
Solomons,	Whitehead,
Stephens of Hancock,	Williamson,
Thomas of Dooly,	Willis,
Thomas of Whitfield,	Winn of Cobb,
Tidwell,	Wood,
Tillman,	Word,
Toombs,	Young of Gordon.
Trippe,	Young of Irwin.

So the motion was lost.

Mr. Reynolds offered the following amendment:

To insert in the third clause, after the word "*be*," and before "*appointed*," the words "elected by the General Assembly from the circuits in which they reside."

Mr. Varnadoe called for the "*previous question*," which being seconded and sustained, the main question was put, to-wit: the motion to adopt the original clause as amended, which motion prevailed.

On motion of Mr. Cobb, the words, "for violations against road laws, and for obstructing water courses," in the third clause of the second section, was striken out, and "violations of road laws and obstructions of water courses jurisdiction of" was inserted.

Mr. Hawkins moved to strike out all after the word "*except*" in the fourth clause of said section.

The motion was lost.

Mr. Cobb offered the following amendment to the fifth clause of the second section of said article.

"And also in all equity causes which shall be tried in the county where one or more of the defendants reside, against whom substantial relief is prayed."

The amendment was received.

Mr. Jackson moved to strike out the word "*certiorari*," in the seventh clause, and insert the word "*appeal*."

The motion was lost.

On motion of Mr. Cobb, the word "*Legislature*," in the 12th clause of said section, was stricken out, and the words "*General Assembly*," inserted in lieu thereof.

The third section was taken up.

Mr. Hansel moved to amend the 2d clause thereof, by striking out the words "elected by the persons entitled to vote for members of the General Assembly," and inserting, in lieu thereof, the words "appointed in the same manner as Judges of the Supreme Court."

The motion prevailed.

Mr. Hood moved to strike out the word "*justices*," in the third clause.

The motion was lost.

On motion of Mr. Cobb, the fourth article, as amended, was adopted.

The fifth article was taken up.

On motion of Cobb, the words, "*by joint ballot*," in the second section, was stricken out, and the words "*viva voce*," inserted in lieu thereof.

He also moved to strike out the words, "*and receive the ballots.*"

The motion prevailed.

Mr. Harris, of Glynn, moved to strike out all after the first sentence, in the sixth section.

The motion pervailed.

Mr. Cobb offered the following additional section.

7th. This constitution shall not take effect until the same is ratified by the people.

And to this end there shall be an election held at all the places of public election in this State, on the first Tuesday in July 1861, when all the citizens of this State, entitled to vote for Governor, shall cast their ballots either for "Ratification" or "No Ratification."

The election shall be conducted in the same manner as general elections and the returns shall be made to the Gov ernor.

If a majority of the votes cast, shall be for "Ratification" the Governor shall by proclamation declare the constitution adopted by the people.

But if for "No Ratification," that fact shall be proclaimed by the Governor, and this constitution shall have no effect whatever.

Mr. Tidwell offered the following ordinance, as a substitute for the foregoing :

Be it ordained by the people of Georgia in Convention assembled, and it is hereby ordained by the authority of the same,

SECTION 1. That the constitution of the State of Georgia, agreed to and adopted by this Convention, on day of March, 1861, in lieu of the present constitution of this State, be submitted to the legal voters of the State, for their approval or rejection, and upon their ratification of said constitution, the same shall become the constitution of this State in lieu of the present constitution.

SEC. 2. That on the vote approving or rejecting said constitution, those voting, shall endorse on their tickets, "Ratification" or "No Ratification."

And be it further ordained, That if any part or parts of said constitution, shall be objectionable to said voters, that they be allowed to endorse, "No Ratification" to such parts, specifying such sections as they may refuse to ratify, on their tickets.

And in the event that any one or more sections of said constitution should be rejected by a majority of the votes cast, said section or sections, shall not become a part of said constitution, but the remainder of said constitution not rejected by a majority of the votes as aforesaid, shall be considered as ratified, and become a part of the constitution of this State, and in lieu of the present constitution, so far as the same may extend.

SEC. 3. That an election be held on the first Wednesday in July next, at the several places of holding elections in this State, for members to the General Assembly, and that said election be held and managed in the same way and manner that elections are held by the laws now in force for members to the General Assembly. And that all persons entitled to vote for such members, be and they are hereby entitled to vote in said election for the ratification or rejection of said constitution, as provided for by this ordinance, with this additional privilege, that each citizen who would be entitled to vote in the county of his residence, may vote in any county in the State.

SEC. 4. The returns of said election shall be consolidated, sealed up, and forwarded to the Executive Department at Milledgeville, when the said returns from the respective counties shall be opened and consolidated, and his Excellency the Governor of this State, is hereby authorized and required to issue, and have published, his proclamation, announcing the ratification or rejection of said constitution, or such parts thereof as may be ratified or rejected according to this ordinance.

SEC. 5. That said constitution or such parts thereof as shall be ratified by the votes of the people, held under this ordinance, shall take effect and be of force from and after the tenth day of August, 1861.

Mr. Bell, of Forsyth, moved the indefinite postponement of the foregoing substitute.

Mr. Hull offered the following as an amendment, and substitute for both the original and substitute :

Resolved, That the action of this Convention altering the constitution, shall be submitted to a vote of the people, on the first Tuesday in July next, in the following manner:

Reduction of Senate.
Ratification.

Reduction of Senate.
No Ratification.

Constitution.
Ratification.
Constitution.
No Ratification.

If a majority shall vote to ratify the reduction of the Senate, the Governor shall make proclamation for the conduct of the voters at the election in October next.

If a majority shall vote to ratify the constitution, the Governor shall make proclamation thereof, declaring it to be the Supreme Law.

Elections in the premises and the returns made in the usual manner.

Mr. Chastain called for the "*previous question*," which being seconded and sustained, the main question, to-wit, the adoption of the original section was put, and decided in the affirmative.

Mr. Cobb then moved the adoption of the fifth article as amended.

The motion prevailed.

Mr. Cobb, from the Committee on the Constitution and Laws to whom was recommmitted the 21st section of the Bill of Rights, reported the following amendment, to come in after the word "*granted*," "and the right to carry water over land for the purpose of mining or draining."

The report was taken up and adopted.

Mr. Cobb, from the same committtee, to whom was recommitted the sixth clause of the first section, of the second article of the constitution, reported the following amendment; to insert after the word "*felony*," the words "*involving any species of the crimen falsi*."

The report was taken up, and adopted.

Mr. Cobb moved to amend the fifth clause of section second, of the third article of the constitution, by adding the words "during the same session or the recess thereafter."

The motion prevailed.

Mr. Whitehead offered the following resolution:

Resolved, That one thousand copies of the constitution as amended, be printed for the use of the members of the Convention.

The Convention then adjourned till ten o'clock to-morrow morning.

SATURDAY, MARCH 23, 1861.

The Convention met in secret session, when the journal of yesterday was read.

Mr. Johnson, of Hall, moved to reconsider so much of the journal of yesterday as relates to the adoption of the fourth clause of the sixth section of the second article of the Constitution, as amended.

The motion to reconsider did not prevail.

Mr. Fouche moved to reconsider so much of the journal of yesterday as relates to the action of the Convention in striking out the 5th clause of the 6th section of the 2nd article of the Constitution.

The motion to reconsider did not prevail.

Mr. Chastain moved to reconsider so much of the journal of yesterday as relates to the rejection of his motion to strike out the third clause of the first section of the fourth article of the Constitution.

The motion to reconsider did not prevail.

Mr. Tidwell moved to reconsider so much of the journal of yesterday as relates to the rejection of his substitute for Mr. Cobb's additional section to the fifth article of the Consitution.

The motion to reconsider did not prevail.

On motion of Mr. Cobb, the Constitution, as amended, was then adopted as a whole, and was so proclaimed by the President.

Mr. Cobb offered the following resolution, which was taken up, read, and agreed to:

Resolved, That ten thousand copies of the Constitution of the Confederate States, and of the State of Georgia, as adopted by this Convention, shall be printed and distributed to the several members of this Convention, for the purpose of general distribution.

Mr. Hawkins, from the Committee to organize the State into ten Congressional Districts, made the following report:

The Committee to whom was referred the organization of ten Congressional Districts for the State of Georgia, report the following:

AN ORDINANCE

The people of Georgia in Convention assembled do hereby declare and ordain,

That the Congressional Districts of this State shall be arranged by counties as follows:

The First District shall be composed of the following counties:—Appling, Bryan, Bulloch, Chatham, Camden, Charlton, Clinch, Coffee, Effingham, Emanuel, Glynn, Liberty, McIntosh, Montgomery, Pierce, Scriven, Telfair, Tatnall, Ware, and Wayne.

The Second District shall be composed of the counties of Baker, Berrien, Brooks, Calhoun, Clay, Colquitt, Dooly, Decatur, Dougherty, Early, Echols, Irwin, Lee, Lowndes, Mitchell, Miller, Randolph, Terrell, Thomas, Wilcox, and Worth.

The Third District shall be composed of the counties of Chattahoochee, Harris, Muscogee, Marion, Macon, Quitman, Stewart, Sumter, Schley, Taylor, Talbot, and Webster.

The Fourth District shall be composed of the counties of Baldwin, Bibb, Crawford, Jones, Jasper, Houston, Laurens, Putnam, Pulaski, Twiggs, and Wilkinson.

The Fifth District shall be composed of the counties of Burke, Columbia, Glasscock, Hancock, Jefferson, Johnson, Lincoln, Richmond, Warren, Wilkes, and Washington.

The Sixth District shall be composed of the counties of Clark, Elbert, Franklin, Greene, Hart, Madison, Morgan, Newton, Oglethorpe, Taliaferro, and Walton.

The Seventh District shall be composed of the counties of Butts, Clayton, Fayette, Henry, Meriwether, Monroe, Pike, Spalding, Troup, and Upson.

The Eighth District shall be composed of the counties of Campbell, Carroll, Coweta, Cobb, DeKalb, Fulton, Haralson, Heard, Paulding, and Polk.

The Ninth District shall be composed of the counties of Banks, Cherokee, Dawson, Forsyth, Gwinnett, Habersham, Jackson, Hall, Lumpkin, Milton, Pickens, Rabun, Towns, Union, and White.

The Tenth District shall be composed of the counties of Cass, Catoosa, Chattooga, Dade, Fannin, Floyd, Gordon, Gilmer, Murray, Walker, and Whitfield.

Be it further ordained, That the first election for members to Congress shall be had under and by virtue of this ordinance, and thereafter said districts to be regulated by the Legislature, whenever the Congress of the Confederate States shall alter the apportionment of representation.

Mr. Cobb offered the following amendment: That the county of Jackson be transferred from the ninth to the sixth Congressional District.

The amendment was received.

Mr. Hawkins called for the previous question, to-wit: the adoption of the ordinance as amended, which being seconded and sustained, the same was read twice and passed.

Mr. Varnadoe offered the following resolution, which was taken up and read:

Resolved, That the thanks of this Convention are due and are hereby tendered to the clergy, resident in this city, for their prompt and cheerful acceptance of the invitation

of its committee to officiate in the opening exercises of the Convention, and their acceptable performance of the service.

Mr. Martin, of Lumpkin, offered the following amendment:

Resolved further, That the thanks of this Convention are due and are hereby tendered to the President of the Georgia Railroad Company for the kind and courteous tender of tickets to members of this Convention on their return home. And that the the Secretary transmit a copy of this resolution to the President of said road.

The amendment was received, and the resolution, as amended, was unanimously adopted.

Mr. Varnadoe laid on the table the following resolutions:

Resolved 1*st.* That the volunteer soldiers from the city of Savannah have exhibited their patriotism in the prompt, patient, and efficient manner in which they have discharged their duty in garrisoning Fort Pulaski, and deserve the gratitude of their fellow citizens.

Resolved, 2*d,* That the Governor be requested and empowered to draw from the funds of the State a sufficient sum to pay to each of such soldiers as much, at least, as will equal the pay of regulars, and place this sum in the hands of Col. A. R. Lawton, for payment to those who have served under him in holding Fort Pulaski.

Mr. Bartow, from the Committee on Military Affairs, reported the following ordinance, which was taken up, read twice, and adopted:

AN ORDINANCE

To define the number of men who shall compose a company in the two regular regiments of infantry.

Be it ordained by the people of the State of Georgia, in Convention assembled,

That the number of men who shall compose a company of infantry in the said regular regiments of infantry, authorized to be raised by an ordinance of this Convention,

shall be the same as is provided for the volunteer force authorized to be raised by the General Assembly of this State by an act "to provide for the public defence, and for other purposes."

From the same committee, Mr. Bartow reported the following resolutions, which were taken up, read, and adopted:

Resolved by the people of Georgia in Convention assembled, That the Governor of this State is hereby authorized to tender to the government of the Confederate States of America, under the provisions of an act of Congress "to raise provisional forces for the Confederate States of America and for other purposes," the regular forces of this State provided for by an ordinance of this Convention.

Resolved further, That the President of the Confederate States be requested to receive into the service under the act aforesaid, all the men now enlisted, with the officers necessary to command them, by companies or battallions, and the remainder of the force as they may be recruited with their officers, until each of the two regiments now being recruited is completed, when the whole force, with their officers, shall form as regiments a part of the said provisional army for the term of the enlistment for the war.

Resolved further, That the Governor be authorized to continue the recruiting service by the officers not required for the command of the troops transferred, until the regiments are completed, provided that a longer time than four months from this date be not allowed for this purpose, and provided further that the Governor be authorized to disband the said regiments, if not transferred to the government of the Confederate States.

Mr. Clark, from the special committee to whom was referred the subject of printing and distributing the journals of this body, and the compensation which should be allowed its Secretary and assistant, makes the following

REPORT:

The Committee have examined the journal and the record of the same, so far as both have progressed, and find that the journal, together with the numerous documents which the Convention has ordered published as an appendix thereto, will make a journal of some four hundred

pages. This journal, on account of the important matter which it contains, should be printed and bound in a neat and substantial manner, and well distributed throughout the State.

The committee further report that the recording of the journal has begun in a well bound, neat and substantial book, and has progressed as far as the journal of the proceedings of the last day's session at Milledgeville, which has been done in the recess by the Secretaries, without the employment of a clerk. The record of our first session will extend over about one hundred and ten pages, closely written of said Record Book. Such recording has been well and, so far as we have been able to examine, correctly done.

The committee further report that they have considered the compensation which should be allowed the officers of this Convention, and have ascertained—

First, That the Secretary and one assistant have discharged all the duties of the office, without the employment of aid, except in two instances. By order of the President, the enrolling of several of the ordinances were procured to be enrolled. By special order of the Convention a clerk was employed for thirteen days.

Second, If the Convention adjourns on Saturday, it will have been in actual session thirty days, being three-fourths as long as the constitutional term of a session of the General Assembly.

Third, That there was twenty-six days in the recess, during which time the Secretary and his assistant were employed in recording the journals and in performing other duties connected with their office.

Fourth, That for completing the journals and the record of the same, for bringing up all other unfinished business, and for supervising the printing, publication and distribution of the printed journal, it will require forty-five days.

Fifth, This will make the time actually employed by the Secretaries one hundred and two days. We include the time and service of supervising the printing, because by reason of the great importance in having the journals accurately printed and correctly bound, it is necessary that such duty should devolve upon some person, and no one can do

it so well as the Secretaries, who have drafted and recorded the original manuscript.

Sixth, That this committee have made inquiry, and have ascertained that the Secretary's office of the last Senate, which was in session forty-three days, cost the State about eight thousand dollars, which is not alluded to, to condemn the expenditure, for we know that that office is now discharged with a regard to economy which hitherto did not obtain. The greatest portion of this expenditure was for necessary clerk hire, but the Secretaries of this Convention have employed no clerks, and have chosen to work the harder themselves, therefore have rendered a large amount of what precedent would justify us in denominating, *extra work*. We take pleasure in saying, that in adopting this method, they have originated a system of economy in the office of Secretary, which as a precedent, may be the means of saving to the State many dollars.

This view appears with much more force, when we consider that this Convention is as large as both departments of the General Assembly, and to a great extent embraces the amount of service discharged by the Secretary of the Senate, and the Clerk of the House.

We therefore, in consideration of the two subjects submitted to our consideration, propose the following resolutions:

1st. *Resolved*, That five thousand copies of the journals of this Convention, be printed and bound as was the journals of the late South Carolina Convention, under the supervision of the Secretary of this Convention, except twenty-five copies thereof, which shall be bound in sheep, and be deposited in the State Library, the others shall be distributed to the different counties under the same authority and in the same manner, as the journals of the General Assembly.

2d. *Resolved*, That the Secretary and his assistant, shall receive each fifteen hundred dollars, which is to cover the expense of any clerk they may deem necessary to employ, in bringing up and completing the unfinished business.

3d, *Resolved*, That J. M. Patton have ninety-one dollars for thirteen days employment as a clerk of this Convention,

and H. J. G. Williams, fifty dollars for enrolling certain ordinances.

The report was taken up and read.

Mr. Tidwell laid on the table the following amendment, "and that the Secretaries of this Convention be permitted to publish, and have the exclusive right to do so, any extra copies of the journal they may see proper, at their own expense, for sale."

Mr. Alexander, of Upson, offered the following amendment, which was received.

Resolved, That the compensation of the President of this body shall be ten dollars per diem, and mileage.

Mr. Briscoe offered the following amendment, which was received:

Resolved, That the pay of the Assistant Door Keeper, be the same, per diem, during the time he has served, as that of the Messenger or Door Keeper.

Mr. Clarke offered the following amendment, which was received:

"Each member of this Convention shall have one copy of said journal to be sent to him by the State Librarian, by mail."

The report as amended, was adopted.

Mr. Saffold, from the Committee on Military Affairs, reported the following resolution:

Resolved, That the thanks of the people of Georgia, are hereby tendered to the various officers and their respective commands, who, in the hour of anticipated danger and invasion, promptly placed themselves under the command of the Governor, for the purpose of protecting and defending the honor and interest of the State.

The report was taken up, read, and unanimously adopted.

Mr. Alexander, of Fulton, laid on the table the following resolution:

Resolved, That the sum of dollars be allowed the Treasurer of the State of Georgia, for the extra duties which he has discharged at Milledgeville and Savannah, consequent upon the payments made, and to be made by him to this Convention, its officers, printers, and others.

The resolution was taken up and read, when Mr. Johnson, of Clayton, moved to fill the blank with $500.

The motion was lost.

Mr. Alexander, of Fulton, moved to fill up the blank with $300.

The motion was lost.

He then moved to insert $200, which motion prevailed, and the resolution as amended was adopted.

Mr. Cobb, from the Committee on the Constitution and Laws of the State, and Constitution of the United States, made the following

REPORT:

The Committee on the Constitution and Laws of the State, and the Constitution of the United States, to whom was referred the resolution inquiring into the propriety of granting to the Governor, the power to make reprisals &c., report:

That they have had the same under consideration, and recommend that no action be taken by this Convention.

The report was taken up, read, and adopted.

Mr. Cobb, from the Committee on the Constitution and Laws of the State, and the Constitution of the United States, reported the following ordinance:

AN ORDINANCE

To alter and fix the the time of electing the Governor and Members of the Grand Assembly.

Be it ordained by the people of Georgia in Convention assembled, and it is hereby ordained by authority of the same, That

the next election of Governor, and Members of the General Assembly, shall be held on the first Wednesday in October, 1861; and that the Governor and Members of the General Assembly, shall be elected biennially thereafter, on the first Wednesday in October, until the time shall be altered by law.

The report was taken up, and the ordinance having been read twice, was adopted.

Mr. Saffold, from the Committee on Military Affairs, reported the following ordinance.

AN ORDINANCE

To authorize the Governor to pay the officers and men of the various Volunteer Companies, which have been employed by him in the military services of the State.

Be it ordained by the people of Georgia in Convention assembled, That the Governor be and he is hereby authorized and required to pay the officers and men of the various Volunteer Companies, which have been employed by him in the military service of the State, and compensation according to their respective grades, as is allowed by law, to the officers and privates in the regular army of the United States.

The report was taken up, and the ordinance having been read twice, was adopted.

Mr. Cobb offered the following Resolution, which was taken up, read, and adopted:

Resolved, That a committee of three be appointed to revise and collate the amendments made to the Constitution of the State.

The President then appointed the following as the committee under the foregoing Resolution, to-wit:

Messrs. Cobb,
Crawford of Greene, and
Stephens of Hancock.

Mr. Carswell laid on the table the following Resolution, which was taken up, read, and adopted:

Resolved, That the Treasurer pay the printing and other contingent expenses of this Convention, when the accounts have been properly audited and approved by the auditing committee.

Mr. Cobb laid upon the table the following Ordinance, which was taken up, read twice, and adopted:

AN ORDINANCE

To define the extent of duration of the Ordinances passed by this Convention.

The People of Georgia, in Convention assembled, do Ordain,

That all Ordinances passed by this Convention shall be subject to modification or repeal by the General Assembly of this State, except the following:

1st, The Ordinance of Secession.

2nd, The Ordinance of Ratification of the Constitution of the Confederate States of America.

3rd, The Ordinances in relation to the Constitution of the State.

4th, All Ordinances and Regulations referring to our relations with the Confederate States.

5th, All Ordinances which by their own terms can be changed only by a Convention of the People.

Mr. Cobb laid upon the table the following Resolutions, which were taken up, read, and adopted:

Resolved, That the delegates of this State to the Convention at Montgomery be authorized to consent to the continuation of the Provisional Government until the 22nd day of February, 1862, with a view to the inauguration of the Permanent Government on that day.

Resolved, That any vacancy which may occur in the said delegation by death, resignation, or otherwise, may be filled by the appointment of the remaining delegates.

The Resolution of Mr. Roddey relative to the suspension of specie payments by the Banks, and the payment of

duties on imports, &c., was then taken up, and, on motion of Mr. Fouche, was laid on the table.

Mr. Bartow's Resolution relative to Officers of the Navy on the retired list, was taken up and read.

Mr. Bartow moved to amend the same by striking out the word "retired," and inserting the word "reserved."

The motion prevailed, and the Resolution as amended was adopted.

On motion, the rule was suspended, when Mr. Williamson offered the following Resolution:

Resolved, That this Convention tenders its thanks to the Hon. George W. Crawford, its distinguished and patriotic President, for the kind, able, and dignified manner in which he presided over the deliberations of this body.

The Resolution was taken up, read, and unanimously adopted.

H. P. Bell, Esq., the Commissioner on the part of Georgia to Tennessee, laid on the table a communication, which was ordered to be printed in the appendix to the Journal of this Convention.

Mr. Clarke's Ordinance to modify the Act of the General Assembly of 1859, relative to Bank suspensions, was taken up and read, when he laid upon the table the following amendments:

1st, To add to the first section the following words: "and that he has not procured specie, either by himself, or otherwise exchanged bills, nor resorted to any other means to give any Bank or Banks an advantage over another."

2nd, "The Banks of Augusta must furnish the specie in redemption of their respective bills, for dues to the customs, by persons resident of that city, or doing business therein."

Mr. Spencer moved to postpone indefinitely the consideration of said Ordinance, pending which motion the Convention took a recess till 4 o'clock, P. M.

4 O'CLOCK, P. M.

The Convention met persuant to adjournment.

Mr. Fort, from the committee on Enrollment, made the following

REPORT:

Whereas, The special committee on pay to the several officers of this Convention has recommended the sum of fifty dollars only to Maj. H. J. G. Williams, for services as Enrolling Clerk; and whereas, said sum is much below the services rendered. We, the Enrolling committee, recommend that Maj. Williams receive one hundred and fifty dollars in addition to the amount already voted to him.

On motion of Mr. Hull, the Convention then adjourned till half-past seven o'clock, P. M.

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7 ½ O'CLOCK, P. M.

The Convention met pursuant to adjournment.

Mr. Glenn of Fulton laid upon the table the following Resolution:

Resolved, That the injunction of secrecy be removed from all the proceedings of this Convention.

The Resolution was taken up, read, and adopted.

Mr. Thomas of Whitfield, offered the following Resolution, which was taken up, read, and adopted:

Resolved, That the thanks of this Convention be, and they are hereby tendered to the committee on the Constitution and Laws of the State, and the Constitution of the United States, for the untiring zeal and signal ability displayed, in their Reports to this Convention, and especially in their Report on the Revision of the Constitution of the State.

Mr. Cobb, from the commitee to revise and collate the amendments made to the Constitution, reported that the committee had discharged that duty, and submitted the the following, as the Constitution of the State, to be submitted to the people for ratification:

THE CONSTITUTION OF THE STATE OF GEORGIA.

ARTICLE I.

Declaration of Fundamental Principles.

1. The fundamental principles of Free Government cannot be too well understood, nor too often recurred to.

2. God has ordained that men shall live under government; but as the forms and administration of civil government are in human, and therefore, fallible hands, they may be altered, or modified whenever the safety or happiness of the governed requires it. No government should be changed for light or transient causes; nor unless upon reasonable assurance that a better will be established.

3. Protection to person and property is the duty of Government; and a Government which knowingly and persistently denies, or withholds from the governed such protection, when within its power, releases them from the obligation of obedience.

4. No citizen shall be deprived of life, liberty or property, except by due process of law; and of life or liberty, only by the judgment of his peers.

5. The writ of "*Habeas Corpus*" shall not be suspended, unless in case of rebellion or invasion, the public safety may require it.

6. The right of the people to keep and bear arms shall not be infringed.

7. No religious test shall be required for the tenure of any office; and no religion shall be established by law; and no citizen shall be deprived of any right or privilege by reason of his religious belief.

8. Freedom of thought and opinion, freedom of speech, and freedom of the press, are inherent elements of politi-

cal liberty. But while every citizen may freely speak, write and print, on any subject, he shall be responsible for the abuse of the liberty.

9. The right of the people to appeal to the courts; to petition Government on all matters of legitimate cognizance; and peaceably to assemble for the consideration of any matter of public concern—shall never be impaired.

10. For every right, there should be provided a remedy; and every citizen ought to obtain justice without purchase, without denial, and without delay—conformably to the laws of the land.

11. Every person charged with an offence against the laws of the State shall have the privilege and benefit of counsel:

Shall be furnished, on demand, with a copy of the accusation, and with a list of the witnesses against him:

Shall have compulsory process to obtain the attendance of his own witnesses:

Shall be confronted with the witnesses testifying against him; and

Shall have a public and speedy trial by an impartial jury.

12. No person shall be put in jeopardy of life or liberty more than once for the same offence.

13. No conviction shall work corruption of blood, or general forfeiture of estate.

14. Excessive bail shall not be required; nor excessive fines imposed; nor cruel and unusual punishments inflicted.

15. The power of the courts to punish for contempt shall be limited by Legislative Acts.

16. A faithful execution of the laws is essential to good order; and good order in society is essential to liberty.

17. Legislative Acts in violation of the fundamental law are void; and the Judiciary shall so declare them.

18. *Ex post facto* laws, and laws impairing the obligation of contracts, and retro-active legislation injuriously affecting the right of the citizen, are prohibited.

19. Laws should have a general operation; and no general law shall be varied in a particular case by special Legislation; except with consent of all persons to be affected thereby.

20. The right of taxation can be granted only by the people; and shall be exercised only to raise revenue for the support of Government, to pay the public debt; to provide for the common defence, and for such other purposes as are specified in the grant of powers.

21. In cases of necessity, private ways may be granted upon just compensation being first paid; and with this exception, private property shall not be taken except for public use; and then, only upon just compensation; such compensation, except in cases of pressing necessity, to be first provided and paid.

22. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place or places to be searched, and the persons and things to be seized.

23. Martial law shall not be declared, except in cases of extreme necessity.

24. Large standing armies, in time of peace, are dangerous to liberty.

25. No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner prescribed by law.

26. The person of a debtor shall not be detained in prison after delivering *bona fide* all his estate for the use of his creditors.

27. The enumeration of rights herein contained shall not be construed to deny to the people any inherent rights which they have hitherto enjoyed.

28. This declaration is a part of this Constitution, and shall never be violated on any pretence whatever.

ARTICLE II.

Section 1.

1. The Legislative, Executive and Judicial departments, shall be distinct; and each department shall be confided to a separate body of magistracy. No person or collection of

persons, being of one department, shall exercise any power properly attached to either of the others; except in cases herein expressly provided.

2. The Legislative power shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives.

3. The meeting of the General Assembly shall be annual, and on the first Wednesday in November, until such day of meeting shall be altered by law. A majority of each House shall constitute a quorum to transact business; but a smaller number may adjourn from day to day, and compel the attendance of their members in such manner as each House shall prescribe. No session of the General Assembly shall continue for more than forty days, unless the same shall be done by a vote of two-thirds of each branch thereof.

4. The compensation of the members and officers of the General Assembly shall be fixed by law, at the first session, subsequent to the adoption of this Constitution: and the same shall not be increased so as to affect the compensation of the members or officers of the Assembly by which the increase is adopted.

5. No person holding any military commission or other appointment, having any emolument or compensation annexed thereto, under this State or the Confederate States, or either of them, (except Justices of the Inferior Court, Justices of the Peace and officers of the militia), nor any defaulter for public money, or for legal taxes required of him, shall have a seat in either branch of the General Assembly; nor shall any Senator or Representative, after his qualification as such, be elected to any office or appointment by the General Assembly having any emoluments or compensation annexed thereto, during the time for which he shall have been elected.

6. No person convicted of any felony before any Court of this State, or of the Confederate States, shall be eligible to any office or appointment of honor, profit or trust, within this State.

7. No person who is a collector or holder of public money, shall be eligible to any office in this State, until the same is accounted for and paid into the Treasury.

SECTION 2.

1. The Senate shall consist of forty-four members, one to be chosen from each senatorial district, which district shall be composed of three contiguous counties. If a new county is established, it shall be added to a district which it adjoins until there shall be another arrangement of the senatorial districts. The senatorial districts shall not be changed except when a new census shall have been taken.

2. No person shall be a Senator who shall not have attained to the age of twenty-five years, and be a citizen of the Confederate States, and have been for three years an inhabitant of this State, and for one year a resident of the district from which he is chosen.

3. The presiding officer shall be styled the President of the Senate, and shall be elected *viva voce* from their own body.

4. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation; and no person shall be convicted without the concurrence of two-thirds of the members present. Judgment, in cases of impeachment, shall not extend further than removal from office and disqualification to hold and enjoy any office of honor, profit or trust within this State; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment and punishment according to law.

SECTION 3.

1. The House of Representatives shall be composed as follows: The thirty-seven counties having the largest representative population shall have two Representatives each. Every other county shall have one Representative. The designation of the counties having two Representatives shall be made by the General Assembly immediately after the taking of each census.

2. No person shall be a Representative who shall not have attained to the age of twenty-one years, and be a citizen of the Confederate States, and have been for three years an inhabitant of this State, and for one year a resident of the county which he represents.

3. The presiding officer of the House of Representatives shall be styled the Speaker, and shall be elected *viva voce* from their own body.

4. They shall have the sole power to impeach all persons who have been or may be in office.

5. All bills for raising revenue, or appropriating money, shall originate in the House of Representatives; but the Senate may propose or concur in amendments, as in other bills.

SECTION 4.

1. Each House shall be the judge of the election, returns, and qualifications of its own members; and shall have power to punish them for disorderly behavior or mis-conduct, by censure, fine, imprisonment or expulsion; but no member shall be expelled except by a vote of two-thirds of the House from which he is expelled.

2. Each House may punish, by imprisonment not extending beyond the session, any person not a member, who shall be guilty of a contempt, by any disorderly behavior in its presence; or who, during the session, shall threaten injury to the person or estate of any member, for anything said or done in either House; or who shall assault any member therefor; or who shall assault or arrest any witness going to or returning therefrom; or who shall rescue, or attempt to rescue, any person arrested by order of either House.

3. The members of both Houses shall be free from arrest, during their attendance on the General Assembly, and in going to and returning therefrom, except for treason, felony, or breach of the peace. And no member shall be liable to answer, in any other place, for anything spoken in debate in either House.

4. Each House shall keep a journal of its proceedings, and publish them immediately after its adjournment. The yeas and nays of the members on any question, shall, at the desire of one-fifth of the members present, be entered on the journals. The original journals shall be preserved (after publication) in the office of the Secretary of State; but there shall be no other record thereof.

5. Every bill, before it shall pass, shall be read three times

and on three separate and distinct days in each House, unless in cases of actual invasion or insurrection. Nor shall any law or ordinance pass which refers to more than one subject matter, or contains matter different from what is expressed in the title thereof.

6. All Acts shall be signed by the President of the Senate and the Speaker of the House of Representatives; and no bill, ordinance, or resolution intended to have the effect of law, which shall have been rejected by either House, shall be again proposed under the same or any other title, without the consent of two-thirds of the House by which the same was rejected.

7. Neither House shall adjourn for more than three days, nor to any other place, without the consent of the other; and in case of disagreement between the two Houses, on a question of adjournment, the Governor may adjourn them.

8. Every Senator and Representative, before taking his seat, shall take an oath or affirmation to support the Constitution of the Confederate States and of this State; and also, that he hath not practiced any unlawful means, either directly or indirectly, to procure his election. And every person convicted of having given or offered a bribe, shall be disqualified from serving as a member of either House for the term for which he was elected.

9. Whenever this Constitution requires an Act to be passed by two-thirds of both Houses, the yeas and nays on the passage thereof shall be entered on the journals of each.

Section 5.

1. The General Assembly shall have power to make all laws and ordinances, consistent with this Constitution and not repugnant to the Constitution of the Confederate States, which they shall deem neceesary and proper for the welfare of the State.

2. They may alter the boundaries of counties, and lay off and establish new counties; but every bill to establish a new county shall be passed by at least two-thirds of the members present, in each branch of the General Assembly.

3. They shall provide for the taking of a census or enu-

meration of the people of this State, at regular decades of years, commencing at such times as they may prescribe.

4. The General Assembly shall have power to appropriate money for the promotion of learning and science, and to provide for the education of the people.

5. The General Assembly shall have power by a vote of two-thirds of each branch, to grant pardons in cases of final conviction for treason, and to pardon or commute in cases of final conviction for murder.

SECTION 6.

1. The General Assembly shall have no power to grant corporate powers and privileges to private companies, except to banking, insurance, railroad, canal, plank road, navigation, mining, express, lumber, and telegraph companies; nor to make or change election precincts; nor to establish bridges and ferries; nor to change names, or legitimate children; but shall by law prescribe the manner in which such power shall be exercised by the Courts. But no bank charter shall be granted or extended, and no Act passed authorizing the suspension of specie payment by any chartered bank, except by a vote of two-thirds of each branch of the General Assembly.

2. No money shall be drawn from the Treasury of this State, except by appropriation made by law; and a regular statement and account of the receipt and expenditure of all public money shall be published from time to time.

3. No vote, resolution, law or order shall pass, granting a donation or gratuity in favor of any person, except by the concurrence of two-thirds of the General Assembly.

4. No law shall be passed by which a citizen shall be compelled, directly or indirectly, to become a stockholder in, or contribute to a rail road or other work of internal improvement, without his consent; except the inhabitants of a corporate town or city. This provision shall not be construed to deny the power of taxation for the purpose of making levees or dams to prevent the overflow of rivers.

Section 7.

1. The importation or introduction of negroes from any foreign country, other than the slave-holding States or Territories of the United States of America, is forever prohibited.

2. The General Assembly may prohibit the introduction of negroes from any State; but they shall have no power to prevent immigrants from bringing their slaves with them.

3. The General Assembly shall have no power to pass laws for the emancipation of slaves.

4. Any person who shall maliciously kill or maim a slave, shall suffer such punishment as would be inflicted in case the like offence had been committed on a free white person.

ARTICLE III.

Section 1.

1. The executive power shall be vested in a Governor, who shall hold his office during the term of two years, and until such time as a successor shall be chosen and qualified. He shall have a competent salary fixed by law, which shall not be increased or diminished during the period for which he shall have been elected; neither shall he receive, within that period, any other emolument from the Confederate States, or either of them, or from any foreign power.

2. The Governor shall be elected by the persons qualified to vote for members of the General Assembly, on the first Wednesday in October, in the year of our Lord 1861; and on the first Wednesday in October in every second year thereafter, until such time be altered by law; which election shall be held at the places of holding general elections, in the several counties of this State, in the manner prescribed for the election of members of the General Assembly. The returns for every election of Governor shall be sealed up by the managers, separately from other returns, and directed to the President of the Senate and Speaker of the House of Representatives; and transmitted to the Governor, or the person exercising the duties of Governor for the time being; who shall, without opening the said returns, cause the same to be laid before the Sen-

ate, on the day after the two houses shall have been organized; and they shall be transmitted by the Senate to the House of Representatives. The members of each branch of the General Assembly shall convene in the Representative chamber, and the President of the Senate, and the Speaker of the House of Representatives, shall open and publish the returns in presence of the General Assembly; and the person having the majority of the whole number of votes given in, shall be declared duly elected Governor of this State; but if no person have such majority, then from the two persons having the highest number of votes, who shall be in life, and shall not decline an election at the time appointed for the Legislature to elect, the General Assembly shall immediately elect a Governor *viva voce*; and in all cases of election of a Governor by the General Assembly, a majority of the votes of the members present shall be necessary for a choice. Contested elections shall be determined by both Houses of the General Assembly, in such manner as shall be prescribed by law.

3. No person shall be eligible to the office of Governor who shall not have been a citizen of the Confederate States twelve years, and an inhabitant of this State six years, and who hath not attained the age of thirty years.

4. In case of the death, resignation, or disability of the Governor, the President of the Senate shall exercise the executive powers of the government until such disability be removed, or a successor is elected and qualified. And in case of the death, resignation, or disability of the President of the Senate, the Speaker of the House of Representatives shall exercise the executive power of the government until the removal of the disability or the election and qualification of a Governor.

5. The Governor shall, before he enters on the duties of his office, take the following oath or affirmation: "I do solemnly swear or affirm (as the case may be,) that I will faithfully execute the office of Governor of the State of Georgia; and will, to the best of my abilities, preserve, protect and defend the constitution thereof."

SECTION 2.

1. The Governor shall be Commander-in-Chief of the army and navy of this State, and of the militia thereof.

2. He shall have power to grant reprieves for offences against the State, except in cases of impeachment, and to grant pardons, or to remit any part of a sentence, in all cases after conviction, except for treason or murder, in which cases he may respite the execution, and make report thereof to the next General Assembly.

3. He shall issue writs of elections to fill vacancies that happen in the Senate or House of Representatives, and shall have power to convene the General Assembly on extraordinary occasions; and shall give them, from time to time, information of the state of the republic, and recommend to their consideration such measures as he may deem necessary and expedient.

4. When any office shall become vacant by death, resignation, or otherwise, the Governor shall have power to fill such vacancy unless otherwise provided for by law; and persons so appointed shall continue in office until a successor is appointed agreeably to the mode pointed out by this Constitution, or by law in pursuance thereof.

5. A person once rejected by the Senate shall not be re-appointed by the Governor to the same office during the same session or the recess thereafter.

6. The Governor shall have the revision of all bills passed by both Houses, before the same shall become laws, but two-thirds of each House may pass a law notwithstanding his dissent; and if any bill should not be returned by the Governor within five days (Sundays excepted) after it has been presented to him, the same shall be a law, unless the General Assembly, by their adjournment, shall prevent its return. He may approve any appropriation and disapprove any other appropriation in the same bill, and the latter shall not be effectual unless passed by two-thirds of each House.

7. Every vote, resolution, or order, to which the concurrence of both Houses may be necessary, except on a question of election or adjournment, shall be presented to the Governor; and before it shall take effect, be approved by him, or being disapproved, shall be re-passed by two-thirds of

each House, according to the rules and limitations prescribed in case of a bill.

8. There shall be a Secretary of State, a Comptroller General, a Treasurer, and Surveyor-General, elected by the General Assembly, and they shall hold their offices for the like period as the Governor, and shall have a competent salary, which shall not be increased or diminished during the period for which they shall have been elected. The General Assembly may at any time consolidate any two of these offices, and require all the duties to be discharged by one officer.

9. The great seal of the State shall be deposited in the office of the Secretary of State, and shall not be affixed to any instrument of writing, but by order of the Governor or General Assembly; and the General Assembly shall, at their first session, after the rising of this convention, by law cause the great seal to be altered.

10. The Governor shall have power to appoint his own Secretaries, not exceeding two in number.

ARTICLE IV.

Section 1.

1. The Judicial powers of this State shall be vested in a Supreme Court for the correction of errors, a Superior, Inferior, Ordinary and Justices' Courts, and in such other courts as have been or may be established by law.

2. The Supreme Court shall consist of three Judges, who shall be appointed by the Governor with the advice and consent of two-thirds of the Senate, for such term of years as shall be prescribed by law, and shall continue in office until their successors shall be appointed and qualified, removable by the Governor on the address of two-thirds of each branch of the General Assembly, or by impeachment and conviction thereon.

3. The said Court shall have no original jurisdiction, but shall be a court alone for the trial and correction of errors in law and equity from the Superior Courts of the several circuits, and shall sit at least once a year, at a time prescribed by law, in each of one or more judicial districts, designated by the General Assembly for that purpose, at

such point in each district as shall by the General Assembly be ordained, for the trial and determination of writs of error from the several Superior Courts included in such judicial districts.

4. The said Court shall dispose of and finally determine every case on the docket of such Court at the first or second term after such writ of error brought; and in case the plaintiff in error shall not be prepared at the first term of such Court after error brought, to prosecute the case, unless precluded by some providential cause from such prosecution, it shall be stricken from the docket, and the judgment below shall stand affirmed.

SECTION 2.

1. The Judges of the Superior Courts shall be appointed in the same manner as Judges of the Supreme Court from the circuits in which they are to serve, for the term of four years, and shall continue in office until their successors shall be appointed and qualified, removable by the Governor on the address of two-thirds of each branch of the General Assembly, or by impeachment and conviction thereon.

2. The Superior Court shall have exclusive jurisdiction in all cases of divorce, both total and partial; but no total divorce shall be granted, except on the concurrent verdicts of two special juries. In each divorce case, the Court shall regulate the rights and disabilities of the parties.

3. The Superior Court shall also have exclusive jurisdiction in all criminal cases, except as relates to people of color, fines for neglect of duty, contempts of Court; violations of road laws, and obstructions of water courses, jurisdiction of which shall be vested in such judicature or tribunal as shall be or may have been pointed out by law; and except in all other minor offences committed by free white persons, and which do not subject the offender or offenders to loss of life, limb or member, or to confinement in the penitentiary; in all such cases, Corporation Courts, such as now exist, or may hereafter be constituted, in any incorporated city, or town, may be vested with jurisdiction, under such rules and regulations as the Legislature may hereafter by law direct.

4. All criminal cases shall be tried in the county where

the crime was committed, except in cases where a jury cannot be obtained.

5. The Superior Court shall have exclusive jurisdiction in all cases respecting titles to land, which shall be tried in the county where the land lies. And also in all equity causes which shall be tried in the county where one or more of the defendants reside, against whom substantial relief is prayed.

6. It shall have appellate jurisdiction in all such cases as may be provided by law.

7. It shall have power to correct errors in inferior judicatories by writ of *certiorari*, and to grant new trials in the Superior Court on proper and legal grounds.

8. It shall have power to issue writs of mandamus, prohibition, scire facias, and all other writs which may be necessary for carrying its powers fully into effect.

9. The Superior and Inferior Courts shall have concurrent jurisdiction in all other civil causes; which shall be tried in the county where the defendant resides.

10. In cases of joint obligors, or joint promissors or copartners, or joint trespassers residing in different counties, the suit may be brought in either county.

11. In case of a maker and indorser or indorsers of promissory notes residing in different counties in this State, the same may be sued in the county where the maker resides.

12. The Superior and Inferior Courts shall sit in each county twice in every year, at such stated times as have been or may be appointed by the General Assembly.

SECTION 3.

1. The judges shall have salaries adequate to their services fixed by law, which shall not be diminished during their continuance in office; but shall not receive any other perquisites or emoluments whatever, from parties or others, on account of any duty required of them.

2. There shall be a State's Attorney and Solicitors appointed in the same manner as the Judges of the Supreme Court and commissioned by the Governor; who shall hold their offices for the term of four years, or until their successors shall be appointed and qualified, unless removed by

sentence on impeachment, or by the Governor, on the address of two-thirds of each branch of the General Assembly. They shall have salaries adequate to their services fixed by law, which shall not be diminished during their continuance in office.

3. The Justices of the Inferior Courts shall be elected in each county by the persons entitled to vote for members of the General Assembly.

4. The Justices of the Peace shall be elected in each district by the persons entitled to vote for members of the General Assembly.

5. The powers of a Court of Ordinary and of Probate, shall be vested in an Ordinary for each county, from whose decisions there may be an appeal to the Superior Court, under regulations prescribed by law. The ordinary shall be *ex officio* clerk of said Court, and may appoint a deputy-clerk. The ordinary, as clerk, or his deputy, may issue citations and grant temporary letters of administration, to hold until permanent letters are granted; and said ordinary, as clerk, or his deputy, may grant marriage licenses. The ordinaries in and for the respective counties shall be elected, as other county officers are, on the first Wednesday in January, 1864, and every fourth year thereafter, and shall be commissioned by the Governor for the term of four years. In case of any vacancy of said office of ordinary, from any cause, the same shall be filled by election, as is provided in relation to other county officers, and until the same is filled, the clerk of the Superior Court for the time being shall act as clerk of said Court of Ordinary.

ARTICLE V.

1. The electors of Members of the General Assembly shall be free white male citizens of this State; and shall have attained the age of twenty-one years; and have paid all taxes which may have been required of them, and which they have had an opportunity of paying, agreeably to law, for the year preceding the election; and shall have resided six months within the district or county.

2. All elections, by the General Assembly, shall be *viva voce* and when the Senate and House of Representatives

unite for the purpose of electing, they shall meet in the Representative chamber, and the President of the Senate shall in such cases preside, and declare the person or persons elected.

3. In all elections by the people, the electors shall vote by ballot, until the General Assembly shall otherwise direct.

4. All civil officers shall continue in the exercise of the duties of their several offices, during the periods for which they were appointed, or until they shall be superseded by appointments made in conformity with this Constitution; and all laws now in force shall continue to operate, so far as they are compatible with this Constitution, until they shall expire, be altered or repealed; and it shall be the duty of the General Assembly to pass all necessary laws and regulations for carrying this Constitution into full effect.

5. All militia and county officers shall be elected by the people in such manner as the General Assembly may by law direct.

6. This Constitution shall be amended only by a Convention of the people called for that purpose.

7. This Constitution shall not take effect until the same is ratified by the people. And to this end, there shall be an election held at all the places of public election in this State, on the first Tuesday in July, 1861, when all the citizens of this State entitled to vote for Governor, shall cast their ballots either for "Ratification" or "No Ratification." The election shall be conducted in the same manner as general elections, and the returns shall be made to the Governor. If a majority of the votes cast shall be for *Ratification*, the Governor shall by proclamation, declare this Constitution adopted by the people. But if for *No Ratification*, that fact shall be proclaimed by the Governor, and this Constitution shall have no effect whatever.

Done in Convention of the Delegates of the people of the State of Georgia, at Savannah, on the 23rd day of March, in the year of our Lord eighteen hundred and sixty-one.

In testimony whereof the President of said Convention

has hereunto set his hand, and caused the same to be attested by the secretary thereof.

The Report was taken up, read, and unanimously adopted—and was then signed by the President.

Mr. Cobb offered the following Resolution, which was taken up, read, and adopted:

Resolved, That the Governor shall, by Proclamation, call on the proper officers, to hold the election required by the Constitution.

Mr. Briscoe, from the committee on Enrollment, made the following

REPORT:

Mr. President: The committee on Enrollment report as duly enrolled and ready for the signature of the President, the following Ordinances, to-wit:

AN ORDINANCE,

To pay the Volunteer force now employed in the service of the State. Also,

AN ORDINANCE,

To alter and fix the time of electing the Governor and members of the General Assembly. Also,

AN ORDINANCE,

To organize the Congressional Districts of the State, and for other purposes.

AN ORDINANCE,

To define the number of men who shall compose a Company, in the two regular Regiments of Infantry.

AN ORDINANCE,

To define the extent of duration of the Ordinances passed by this Convention.

Also the following Resolutions:

Resolutions for the transfer of the troops of the State, to the Government of the Confederate States.

Resolutions relative to continuance of Provisional Government, &c.

All of which were signed by the President and transmitted to the office of the Secretary of State.

Luther J. Glenn. Esq., the Commissioner on the part of Georgia to the State of Missouri, briefly addressed the Convention, upon the subject of his mission to that State, and asked leave to report in writing, and that said Report be printed in the Appendix to the Journal of the Convention.

The leave asked for was granted,

Mr. Hood then moved that the Convention do adjourn *sine die.*

The motion prevailed.

Whereupon, the President remarked, that "A man must be insensible to the social sympathies with which he is surrounded, not to feel and appreciate the approval by others of his conduct; secondary only to the consciousness of rectitude, which usually is less in act than intention. Yielding to this influence, so congenial with our better nature, I can only offer in return for your kind expression as to the manner in which my official duties have been performed, and say in familiar, yet cordial language, that I thank you. Joining in the general opinion, and referring to my own observation of other large deliberative bodies, I venture to say, that I have seen none, which surpasses this Convention in general decorum and all the amenities of social life. Whatsoever of patriotic devotion and intellectual strength have been displayed here, may be safely trusted to the judgments of men of distant times.

Indulge me with a short retrospect of what you have done:

When first assembled, there was less disagreement as to the burthen of our grievances than to their remedy, and especially as to the time of its application. Happily, conciliation produced concord. When our common pat-

roness spoke, her sons, less from opinion than instinct, forgetful of the past and mindful of the future, rallied to the rescue. Clasping each other with a fraternal grasp, they were less intent on sharing in the glory than participating in a common peril and a common destiny. Thus may the sons of Georgia ever be!

You have overturned a government which had become sectional in policy and sectional in hostility. It had lost nationality, and the first requisite of every government—that of protection of person and property. True, you have overthrown the Federal Union, but you have preserved the Federal Constitution. You have retained ancestral wisdom in the formation of your government, separated only from those abuses which experience has developed. In short, you have effected a political reformation.

Like your ancestors, you commenced with a few leading ideas or principles. They may be epitomized thus: A right, when assailed, must be either defended or surrendered, and that a similarity of interest must produce a similarity of action. The alternative of the first proposition you have chosen. That choice must and will be vindicated. Of the second you have made an election, which your experience justifies and all history proves.

In the revision of your State Constitution, you have, in my judgment, improved it by each alteration made in it. Whatever may have been heretofore the high standard of your judges, that standard will be advanced still higher to independence and legal attainments. Reduction of the members of the Legislature may not have gone as far as many others have desired; still as a thing, *per se*, it cannot be otherwise than acceptable. In all such matters, we must make concessions.

Nothing remains, after bidding you a cordial adieu, and wishing to each a safe return to his home, but to declare as I now do, that this Convention is finally adjourned."

GEORGE W. CRAWFORD,
President of the Convention.

A. R. LAMAR,
Secretary.

APPENDIX.

SOUTH CAROLINA.

MILLEDGEVILLE, GEO., 16 January, 1861.

Hon. George W. Crawford,

President of the Georgia State Convention:

SIR:—

I have the honor to enclose you herewith my credentials as Commissioner from the Convention of the people of the State of South Carolina to the Convention of the people of the State of Georgia.

In execution of the trust confided to me, I also enclose you a copy of the ordinance of secession passed by the Convention, on the 20th of December, 1860.

I am instructed by the Convention of South Carolina to submit to the Convention of Georgia, "as the basis of a provisional government for such States as shall have withdrawn from their connection with the government of the United States of America, the federal Constitution, provided that the said provisional government and the tenures of all officers and appointments arising under it shall cease and determine in two years from the 1st day of July next, or when a permanent government shall have been organized."

I am likewise instructed to "invite the seceding States to meet in convention at such time and place as may be agreed upon for the purpose of forming and putting in motion such provisional government, so that it shall be organized and go into effect at the earliest period previous to the 4th of March, 1861; and that the same convention shall then proceed forthwith to consider and propose a Constitution and plan for a permanent government for such States, which proposed plan shall be referred back to the several State conventions for their adoption or rejection."

The Convention further suggests that each of the seced-

ing States "send to the general convention as many deputies as are equal in number to the number of Senators and Representatives to which it was entitled in the Congress of the United States."

The Convention of South Carolina have elected eight deputies to represent them in the general convention, but declined to indicate either time or place for its meeting.

The State of Alabama having proposed the 4th of February as the time and the city of Montgomery as the place for the assembling of the general convention, I feel myself fully authorized to say that the time and place will be entirely acceptable to the Convention of South Carolina.

You will please lay before the Convention this communication and its enclosures.

I have the honor to be, sir, very respectfully,
Your obedient servant,
JAMES L. ORR,
Com'r from South Carolina.

THE STATE OF SOUTH CAROLINA.

WHEREAS, James L. Orr has been duly elected by a vote of the Convention of the people of South Carolina to act as a Commissioner to the Convention of the people of the State of Georgia, and the said Convention of the people of the State of South Carolina has ordered the Governor of said State to commission the said James L. Orr: Now, therefore, I do hereby commission you, the said James L. Orr, to act as a Commissioner from the State of South Carolina in Convention assembled, to the State of Georgia in Convention assembled, to confer upon the subjects entrusted to your charge.

WITNESS, His Excellency, Francis W. Pickens, Governor and Commander-in-Chief of the said State, this second day of January in the year of our Lord one thousand eight hundred and sixty-one, and the eighty-fifth year of the sovereignty and independence of the State of South Carolina.

F. W. PICKENS.

By the Governor:
JAMES A. DUFFUS,
Deputy Secretary of State.

THE STATE OF SOUTH CAROLINA,

At a Convention of the People of the State of South Carolina, begun and holden in Columbia, on the seventeenth day of December, in the year of our Lord one thousand eight hundred and sixty, and thence continued by adjournment to Charleston, and there, by divers adjournments, to the twentieth day of December in the same year :

AN ORDINANCE.

To dissolve the union between the State of South Carolina and other States united with her under the compact entitled "the Constitution of the United States of America."

We, the People of the State of South Carolina in Convention assembled, do declare and ordain, and it is hereby declared and ordained,

That the ordinance adopted by us in Convention, on the twenty-third day of May, in the year of our Lord one thousand seven hundred and eighty-eight, whereby the Constitution of the United States of America was ratified, and also, all acts and parts of acts of the General Assembly of this State, ratifying amendments of the said Constitution, are hereby repealed; and that the union now subsisting between South Carolina and other States, under the name the United States of America, is hereby dissolved.

Done at Charleston, the twentieth day of December, in the year of our Lord one thousand eight hundred and sixty.

D. F. JAMISON, *President.*

Attest : B. F. ARTHUR, *Clerk.*

[*Letter of John Gill Shorter, Commissioner of Alabama, to the President of the Georgia Convention.*]

MILLEDGEVILLE, GEO., January 16, 1861.

Hon. George W. Crawford,

President of the Convention of the State of Georgia :

SIR :—

I have the honor herewith to transmit the certificate of my appointment as Commissioner from the State of Ala-

bama to the Convention of the State of Georgia, and also a duly authenticated copy of the ordinance of secession and accompanying resolutions adopted by the Convention of Alabama, on the 11th instant; together with a resolution of the Convention concerning my instructions, in which I am particularly directed to request of the Convention of the State of Georgia the consideration of and concurrence in the first resolution adopted by the Convention of the State of Alabama, inviting the people of Georgia and of the other Slaveholding States to meet the people of Alabama, by their deldgates, in convention, on the 4th day of February, 1861, at the city of Montgomery, in the State of Alabama, for the purpose of consulting with each other as to the most effectual mode of securing concerted and harmonious action in whatever measures may be deemed most desirable for our common peace and security, it being the desired purpose of the people of Alabama to meet the Slaveholding States, who may approve such purpose, in order to frame a provisional as well as a permanent government upon the principles of the Constitution of the United States.

I have the honor to be, with high consideration,

Your obedient servant,

JOHN GILL SHORTER.

[*Commission of John Gill Shorter as State Commissioner from Alabama.*]

EXECUTIVE DEPARTMENT,
Montgomery, Ala. Dec., 21, 1860.

WHEREAS, The election of Abraham Lincoln, a Black Republican, to the Presidency of the United States, by a purely sectional vote, and by a party whose leading and publicly avowed object is the destruction of the institution of slavery as it exists in the Slaveholding States; and whereas the success of said party and the power which it now has and soon will acquire, greatly endanger the peace, interests, security, and honor of the Slaveholding States, and make it necessary that prompt and effective measures should be adopted to avoid the evils which must result from a Republican administration of the Federal Government. And as the interests and destiny of the Slaveholding States

are the same, they must naturally sympathise with each other; they, therefore, so far as may be practicable, should consult and advise together as to what is best to be done to protect their mutual interests and honor.

Now, therefore, in consideration of the premises, I, Andrew B. Moore, Governor of the State of Alabama, by virtue of the general powers in me vested, do hereby constitute and appoint Hon. John Gill Shorter, a citizen of said State, a Commissioner to the sovereign State of Georgia to consult and advise with his Excellency, Governor Joseph E. Brown and the members of the Convention to be assembled in said State, as to what is best to be done to protect the rights, interests, and honor of the Slaveholding States, and to report the result of such consultation in time to enable me to communicate the same to the Convention of the State of Alabama to be held on Monday, the 7th day of January next, if practicable.

In testimony whereof I have hereunto set my hand, and caused the Great Seal of the State to be affixed in the city of Montgomery, this 21st day of December, A. D. 1860.

A. B. MOORE.

[*Resolution of instruction to Commissioner.*]

MONTGOMERY, ALA., January 14th, 1861.

Hon. John Gill Shorter:

DEAR SIR: —

The following resolution was passed by the Convention in session to-day:

"*Resolved by the people of Alabama in Convention assembled*, That the Commissioners heretofore appointed by the Governor of this State to the several States, be, and they are hereby directed to present to the conventions of said States the preamble, ordinance, and resolutions adopted by the people of the State of Alabama, in Convention, on the 11th day of January, 1861, and to request their consideration of and concurrence in the first resolution."

With the above resolution is herewith transmitted to you,

by order of the Convention, a certified copy of the preamble, ordinance and resolution referred to.

Respectfully,

WILLIAM M. BROOKS,

President of the Convention.

[*Ordinance of Alabama.*]

AN ORDINANCE

To dissolve the union between the State of Alabama and other States united under the compact styled "the Constitution of the United States of America."

Whereas, The election of Abraham Lincoln and Hanibal Hamlin to the office of President and Vice President of the United States of America, by a sectional party, avowedly hostile to the domestic institutions and to the peace and security of the people of the State of Alabama, preceded by many and dangerous infractions of the Constitution of the United States by many of the States and people of the Northern section, is a political wrong of so insulting and menacing a character as to justify the people of the State of Alabama in the adoption of prompt and decided measures for their future peace and security, therefore,

Be it declared and ordained by the people of the State of Alabama in Convention assembled, That the State of Alabama now withdraws and is hereby withdrawn from the Union known as "the United States of America," and henceforth ceases to be one of the said United States, and is, and of right ought to be a Sovereign and Independent State.

SEC. 2. *Be it further declared and ordained by the people of the State of Alabama in Convention assembled*, That all the powers over the territory of said State, and over the people thereof, heretofore delegated to the Government of the United States of America, be and they are hereby withdrawn from said Government, and are hereby resumed and vested in the people of the State of Alabama.

And as it is the desire and purpose of the people of Alabama to meet the Slaveholding States of the South, who approve such purpose, in order to frame a provisional as

well as permanent government upon the principles of the Constitution of the United States,

Be it resolved by the people of Alabama in Convention assembled, That the people of the States of Delaware, Maryland, Virginia, North Carolina, South Carolina, Florida, Georgia, Mississippi, Louisiana, Texas, Arkansas, Tennessee, Kentucky and Missouri, be and are hereby invited to meet the people of the State of Alabama, by their delegates, in Convention, on the 4th day of February, A. D., 1861, at the city of Montgomery, in the State of Alabama, for the purpose of consulting with each other as to the most effectual mode of securing concerted and harmonious action in whatever measures may be deemed most desirable for our common peace and security.

And be it further resolved, That the President of this Convention, be and he is hereby instructed to transmit forthwith a copy of the foregoing preamble, ordinance and resolutions to the Governors of the several States named in said resolutions.

Done by the people of the State of Alabama, in Convention assembled, at Montgomery, on this, the eleventh day of January, A. D. 1861.

WILLIAM M. BROOKS.
President of the Convention.

STATE OF MISSISSIPPI.

JOHN J. PETTUS, *Governor of the State of Mississippi, to His Excellency, the Governor of the State of Georgia, Greeting:*

Be it known, that, reposing special trust and confidence in the ability, integrity and fitness of Hon. Thos. W. White I have, in compliance with a resolution passed by the Legislature of this State, on the 30th day of November, A. D. 1860, appointed, and by these presents do appoint him a Commissioner from Mississippi, to proceed to the Capital of Georgia, to inform the people of that Commonwealth, through their Executive, that the Legislature of this State has passed an act calling a Convention of the people of the

State, to consider the present threatening relations of the Northern and Southern sections of the United States—aggravated by the recent election of a President upon principles of hostility to the States of the South, and to express the earnest hope of Mississippi that Georgia will co-operate with her in the adoption of efficient measures for the common defence and safety of the South.

Given under my hand, and the Great Seal of the State hereunto affixed, at the City of Jackson, this the 5th day of December, A. D. 1860.

JOHN J. PETTUS.

By the Governor:

C. A. BROUGHER,

Secretary of State.

Resolved, That the Convention confirm the appointments of Commissioners heretofore made by the Governor of this State, under a resolution of the Legislature of Mississppi, the 30th day of November A. D. 1860.

Passed unanimously.

F. A POPE, Secretary of the Convention.

CONVENTION BILL.

An Act to provide for a Convention of the people of the State of Mississippi.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That an election for delegates to a Convention of the people of the State of Mississippi, shall be held in the several counties thereof, on Thursday, the twentieth day of December, 1860, and that said election shall be held at all the precincts established by law, and shall be managed and conducted by the Sheriffs or other proper officers of the counties respectively, in the same manner, and according to the same rules and regulations, as are prescribed by law for the election of members of the Legislature. And it is hereby declared to be the duty of the Governor to issue his proclamation to the several Sheriffs of the State, at least

ten days before the time appointed for holding said election, requiring them to hold and conduct the same according to law, and the said Sheriffs shall advertise the time and place of holding said election for five days by publication in the several newspapers of their respective counties, and by posting notices at four public places in their counties.

SEC. 2. *Be it further enacted*, That each county shall be represented in said Convention by the same number of delegates as such county has of Representatives in the House of Representatives, including the representation of any city or town in any county.

SEC. 3. *Be it further enacted*, That any person shall be eligible to the said Convention who shall, at the time of the election, be a citizen of the State of Mississippi, and above the age of twenty-one years. *Provided*, That each delegate shall have resided in the county from which he is elected, for four months immediately prior to the session of the Convention, and been a citizen of the State for twelve months prior thereto.

SEC. 4. *Be it further enacted*, That it shall be the duty of the Sheriff, or other proper returning officer, of every county, immediately after said election, to make a complete return to the Secretary of State, of the votes cast for delegates in his county, and the certificate of election of the returning officer of the proper county, or of the Secretary of State in favor of any delegate, shall be evidence of his right to a seat in said Convention; subject, if contested, to decision by said Convention, in such manner as they may prescribe.

SEC. 5. *Be it further enacted*, That the delegates elected under the provisions of this act, shall assemble at the Capitol of the State, on Monday, the seventh day of January, 1861, and organize themselves into a Convention by the election of a President, and such other officers as they may deem necessary, and the appointment of a suitable number assistants, and shall proceed to consider the then existing relations between the Government of the United States and the Government and people of the State of Mississippi, and to adopt such measures for vindicating the sovereignty of the State, and the protection of its institutions, as shall appear to them to be demanded; said Convention shall adopt

such rules and regulations for its government and the proper transaction of business, as they shall think proper. The officers, members and assistants of said Convention shall receive the same compensation as is now allowed by law to the officers, members and assistants of the Legislature, and the Auditor of Public Accounts shall issue his warrant on the Treasury of the State therefor, upon the certificate of the President of the amount due.

SEC. 6. *Be it further enacted*, That in case of vacancy occurring in said Convention, by death, resignation, or otherwise, of any member, it shall be the duty of the Governor to cause such vacancy to be filled, if practicable, by issuing his writ of election to the Sheriff of the proper county, requiring him, on five days notice, to hold an election according to law to fill the same.

SEC. 7. *Be it further enacted*, That this act shall take effect from and after its passage.

J. A. P. CAMPBELL,

Speaker of the House of Representatives.

JAMES DRANE,

President of the Senate.

Approved, November 29, 1860.

JOHN J. PETTUS.

RESOLUTIONS

Of the State of Mississippi, declaring secession to be the proper remedy for the Southern States.

Whereas, The Constitutional Union was formed by the several States in their separate, sovereign capacity, for the purpose of mutual advantage and protection. That the several States are distinct sovereignities, whose supremacy is limited so far only as the same has been delegated by voluntary compact to a Federal Government, and when it fails to accomplish the ends for which it was established, the parties to the compact have the right to resume, each for itself, such delegated powers. That the institution of slavery existed prior to the formation of the Federal Constitution, and is recoguized by its letter, and all efforts to

impair its value or lessen its duration by Congress, or any of the free States, is a violation of the compact of Union, and is destructive of the ends for which it was ordained, but in defiance of the principles of the Union thus established, the people of the Northern States have assumed a revolutionary position towards the Southern States, that they have set at defiance that provision of the Constitution which was intended to secure domestic tranquility, among the States, and promote their general welfare, namely: "No person held to service or labor in one State under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be nue." That they have by voluntary associations, individual agencies, and State Legislation, interfered with slavery as it prevails in the slaveholding States. That they have enticed our slaves from us, and by State intervention, obstructed and prevented their rendition under the fugitive slave law. That they continue their system of agitation obviously for the purpose of encouraging other slaves to escape from service, to weaken the institution in the slaveholding States, by rendering the holding of such property insecure, and, as a consequence, its ultimate abolition certain.

That they claim the right, and demand its execution by Congress, to exclude slavery from the Territories, but claim the right of protection for every species of property owned by themselves.

That they declare in every manner in which public opinion is expressed, their unutterable determination to exclude from admittance into the Union any new State that tolerates slavery its Constitution, and thereby force Congress to a condemnation of that species of property. That they thus seek, by an increase of abolition States, "to acquire two-thirds of both houses," for the purpose of proposing an amendment to the Constitution of the United States, abolishing slavery in the States, and so continue the agitation, that the proposed amendment shall be ratified by the Legislatures of three-fourths of the States. That to encourage the stealing of our property, they have put at defiance that pro-

vision of the Constitution, which declares that fugitives from justice into another State, on demand of the Executive authority of the State from which he fled, shall be delivered up. That they have, in violation of the comity of all civilized nations, and in violation of the comity established by the Constitution of the United States, insulted and outraged our citizens, when travelling amongst them for pleasure, health, or business, by taking their servants, and liberating the same under the forms of State laws, and subjecting their owners to degrading and ignominious punishment. That they have sought to create domestic discord in the Southern States by incendiary publications.

That they encourage a hostile invasion of a Southern State, to excite insurrection, murder and rapine.

That they have deprived Southern citizens of their property, and continue an unfriendly agitation of their domestic institution, claiming for themselves perfect immunity from external interference with their domestic policy, we of the Southern States alone made an exception to that universal quiet.

That they have elected a majority of Electors for President and Vice President, on the ground that there exists an irreconcilable conflict between the two sections of the Confederacy, in reference to their respective systems of labor, and in pursance of their hostility to us and our institutions, thus declaring to the civilized world, that the powers of this Government are to be used for the dishonor and overthrow of the Southern section of this great Confederacy.

Therefore, Be it Resolved by the Legislature of the State of Mississippi, That in the opinion of those who now constitute the said Legislature, the secession of each aggrieved State is the proper remedy for these injuries.

J. A. P. CAMPBELL,
Speaker of the House of Representatives.

JAMES DRANE,
President of the Senate.

Approved, November 30, 1860.

JOHN J. PETTUS.

THE STATE OF MISSISSIPPI.

At a Convention of the people of the State of Mississippi, began and holden at Jackson, the seventh day of January, in the year of our Lord one thousand eight hundred and sixty-one:

AN ORDINANCE

To dissolve the union between the State of Mississippi and other States, united with her under the compact entitled the Constitution of the United States of America.

The people of the State of the State of Mississippi, in Convention assembled, do ordain and declare, and it is hereby ordained and declared as follows, to-wit:

SECTION 1st. That all the laws and ordinances by which the said State of Mississippi became a member of the Federal Union of the United States of America, be and the same are hereby repealed; and that all obligations on the part of the said State or the people thereof, to observe the same be withdrawn; and that the said State doth hereby resume all the rights, functions, and powers which by any of said laws or ordinances, were conveyed to the Government of the said United States, and is absolved from all the obligations, restraints and duties incurred to the said Federal Union, and shall from henceforth be a free, sovereign, and independent State.

SEC. 2d. That so much of the first section of the seventh article of the Constitution of this State, as requires members of the Legislature, and all officers, executive, and judicial, to take an oath or affirmation to support the Constitution of the United States, be and the same is hereby abrogated and annulled.

SEC. 3d. That all rights acquired and vested under the Constitution of the United States, or under any act of Congress passed, or treaty made in pursuance thereof, or under any law of this State, and not incompatible with this ordinance, shall remain in force, and have the same effect as if this ordinance had not been passed.

SEC. 4th. That the people of the State of Mississippi, hereby consent to form a Federal Union, with such of the

States as may have seceded, or may secede from the Union of the United States of America, upon the basis of the present Constitution of the said United States, except such parts thereof as embrace other portions than such seceding States.

Done at Jackson, the ninth day of January, in the year of our Lord one thousand eight hundred and sixty-one.

WILLIAM S. BARRY, *President.*

Attest : F. A. POPE, *Clerk*,

RESOLUTION

Providing for the appointment of Commissioners, &c.

Resolved by the Legislature of the State of Mississippi, That the Governor be requested to appoint as many Commissiones as in his judgment may be necessary to visit each of the slaveholding States, and designate the State or States to which each Commissioner shall be commissioned—whose duty it shall be to inform them that this Legislature has passed an act calling a Convention of the people of the State, to consider the present threatening relations of the Northern and Southern sections of the Confederacy, aggravated by the recent election of a President upon principles of hostility to the States of the South, and to express the earnest hope of Mississippi that those States will co-operate with her in the adoption of efficient measures for their common defence and safety.

Resolved, That should any Sonthern State not have convened its Legislature, the Commissioner to such State shall appeal to the Governor thereof, to call the Legislature together, in order that its co-operation be immediately secured.

J. A. P. CAMPBELL,
Speaker of the House of Representatives.

JAMES DRANE,
President of the Senate:

Approved, November 30, 1860.

JOHN J. PETTUS.

THE STATE OF LOUISIANA.

AN ORDINANCE

To dissolve the union between the State of Louisiana and other States united with her under the compact entitled "the Constitution of the United States."

We, the people of the State of Louisiana, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,

That the ordinance passed by us on the 22d day of November, in the year eighteen hundred and eleven, whereby the Constitution of the United States of America, and the amendments of said Constitution were adopted, and all laws and ordinances by which the State of Louisiana became a member of the Federal Union, be and the same are hereby repealed and abrogated; and that the union now subsisting between Louisiana and other States under the name of "the United States of America" is hereby dissolved.

We do further declare and ordain, That the State of Louisiana hereby resumes all rights and powers heretofore delegated to the Government of the United States of America; that her citizens are absolved from all allegiance to said government, and that she is in full possession and exercise of all those rights of sovereignty which appertain to a free and independent State.

We do further declare and ordain, That all rights acquired and vested under the Constitution of the United States, or any act of Congress, or treaty, or under any law of this State and not incompatible with this ordinance shall remain in force, and have the same effect as if this ordinance had not been passed.

Adopted in Convention, at Baton Rouge, this twenty-sixth day of January, eighteen hundred and sixty-one.

Signed by the Hon.

ALEXANDER MOUTON,

President of the Convention of the State of Louisiana.

A true copy of the original.

J. THOMAS WHEAT,

Secretary of the Convention.

THE STATE OF LOUISIANA.

RESOLUTION

In reference to the free navigation of the Mississippi river.

Resolved, That we, the people of the State of Louisiana, recognize the right of the free navigation of the Mississippi river and its tributaries by all friendly States bordering thereon. And we also recognize the right of egress and ingress of the mouths of the Mississippi river by all friendly States and powers; and we do hereby declare our willingness to enter into any stipulations to guarantee the exercise of said rights.

Adopted in Convention, at Baton Rouge, this twenty-sixth day of January, eighteen hundred and sixty-one.

(Signed) A. MOUTON,
President of the Convention of the State of Louisiana.

A true copy from the original.

J. THOMAS WHEAT,
Secretary of the Convention.

THE STATE OF LOUISIANA.

AN ORDINANCE

To provide for the appointment of delegates to a Convention to form a Southern Confederacy.

We, the people of Louisiana, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,

FIRST, That this Convention will, on the thirtieth day of January instant, at the hour of 12 M., proceed to elect *viva voce*, six delegates, two from the State at large, and one from each Congressional District, to represent this State in the Convention of seceding States proposed to be held at Montgomery, in the State of Alabama, on the fourth day of February, eighteen hundred and sixty-one, for the purpose of securing concerted and harmonious action, and also of forming a provisional government for those States which have seceded, and which may secede, and intend to form a Southern Confederacy.

SECOND, That the said delegates be instructed to aid in forming a provisional government on the basis of the Constitution of the United States for such States as have seceded or may secede, to be established and put in operation before the fourth day of March, 1861, and that the same Convention of seceding States shall proceed forthwith to consider and propose a Constitution and plan for a permanent government for such States, which proposed plan shall be referred back to the several State Conventions for their adoption or rejection.

THIRD, That this Convention accepts the recommendation of the State of South Carolina that each State be entitled to one vote in the said Convention upon all questions which may be voted upon therein; and that each State send as many delegates as are equal in number to the number of Senators and Representatives to which it was entitled in the Congress of the United States.

FOURTH, That if from any cause, the said Convention should not assemble at the time and place above mentioned, then, and in that event, the said delegates be, and they are hereby accredited to any Convention of seceding States which may meet at any other time and place having for its object the formation of a government and the establishing of a Confederacy, as herein before prescribed, and which may adjourn to meet at any other time and place.

Adopted in Convention, at the city of New Orleans, this twenty-ninth day of January, eighteen hundred and sixty-one.

(Signed) A. MOUTON,

President of the Convention.

A true copy of the original.

J. THOMAS WHEAT,

Secretary of the Convention.

[*Report of D. C. Campbell, Esq., Commissioner from Georgia to Delaware.*]

MILLEDGEVILLE, March 4th, 1861.

To the Honorable the President and Members of the Convention of the People of Georgia:

In pursuance of my appointment by your body as Commissioner to the State of Delaware, I have visited Dover, the Capital of that State, and, to the best of my ability, discharged the trusts you confided to me. On my way thither, at Washington city, I learned from those most competent to give information, the state of public sentiment in Delaware in regard to questions connected with the objects of my mission; that a large majority of the people were aggrieved at the aggressions of the Northern upon the Southern States; that their sympathies and interests were with the latter, and that on the withdrawal of Virginia and Maryland from the United States, Delaware would unquestionably follow them and unite her destinies with the Confederate States of the South. I learned also that the Legislature of the State, then in session, was not regarded as a true exponent of the sentiments of the people on these points, and was advised to address myself to the Executive. On reaching Dover, I found that one branch of the Legislature, the Senate, had a majority of one, known and recognized as Democrats, and the other branch, a majority of one, though not elected such, called and regarded as Republicans. After a long, social and satisfactory interview with his Excellency Gov. Burton, and a consultation with a number of the leading and prominent men of the State, most friendly to the objects of my mission, all of whom concurred in the opinion that the objects I had in view would be best promoted by addressing myself to the Executive, I concluded to make no application for a hearing before the Legislature. Accordingly I addressed a communication to the Governor setting forth the objects of my mission and briefly discussing the advantages that would result to Delaware by her union with a Southern Confederacy, and enclosed therein the documents I had been instructed to lay before the constituted authorities of the State.

The Governor promptly transmitted my communication to the Legislature, without any comment, except that in his message accompanying it he renewed a previous recommendation for a call of a Convention of the people to take into consideration the questions then agitating the country. The Senate immediately took up the message for consideration and adopted a resolution, in substance, affirming that Delaware appreciated the courtesy of Georgia in sending a Commissioner to her; that in view of her location and the state of things existing in the States around her, the time for action on her part had not arrived, and that when it did come, Delaware would pursue that course that would best promote her interests. The House postponed for the present any action on the message of the Governor, and I have not yet learned what, if any, has been its action on the subject. It was expected the Legislature would continue its session till after the 4th of March, that it might mark out its future course by the events of that day. Hence it may be, that the final action of the Legislature has not yet been forwarded to me.

I cannot conclude this report without giving it as my decided opinion, formed from the declarations made to me by a large number of the prominent and leading men of Delaware, including some who have heretofore filled her Executive chair and represented her in both branches of the Congress of the United States, members of all parties into which the country has heretofore been divided, that whenever Virginia and Maryland shall withdraw from the Union, Delaware would follow in their footsteps. She will not consent to unite her destinies with a Northern Confederacy while she can form an alliance with one at the South, with which she is more identified by interest and to which she is drawn by sentiment and sympathy.

It is due to the State of Delaware and to myself, that I should gratefully acknowledge, as I here do, the kindness and courtesy extended to me, as your humble representative, by the Executive and other officers and citizens of Delaware with whom, during my visit, I was thrown in contact.

A copy of my communication to Gov. Burton accompanies this report.

With great respect,

Your obedient servant,

D. C. CAMPBELL.

[*Copy of communication addressed to the Governor of Delaware by D. C. Campbell, Commissioner, &c.*]

DOVER, DEL., Feb. 12th, 1861.

His Excellency Gov. Burton:

DEAR SIR:—

I have already had the honor to place in your hand my credentials accrediting me as a Commissioner to the State of Delaware, from a Convention of the people of the State of Georgia, recently assembled at her capitol. The object of my mission is two-fold. 1st, To lay before the constituted authorities of your State the ordinance of secession, by which the State of Georgia has repealed the ordinance by virtue of which she became a member of the late Confederacy known as the United States of America, has withdrawn from that Confederacy, and has declared herself a free, sovereign and independent State. The second object of my mission is, in the name of my State, to invite the co-operation of Delaware, with Georgia and the other seceding States, in the formation of a Southern Confederacy.

In obedience to my instructions, I beg leave to lay before you the following documents, all of which are enclosed:

1st, A resolution of the Georgia Convention declaring it the right and duty of Georgia to secede from the Union.

2d, An authenticated copy of the ordinance of secession.

3d, A resolution of the Convention uniting with Alabama in the invitation to the State of Delaware, to send Commissioners to represent her at Montgomery, Ala.

4th, A resolution of the Convention appointing Commissioners to Delaware and other States and defining their duties.

I beg leave respectfully to ask you to take into consideration these documents, exhibiting the objects of my mis-

sion, and if you approve the measure, to lay the same before the Legislature.

You will perceive that the prominent object of my mission is to invite the co-operation of Delaware in the formation of a Southern Confederacy. Georgia, in the movement she has made, has not acted in haste or with precipitancy, nor without calm deliberation, and after having counted the cost. She did not withdraw from the Union till she had lost all hope of being able to maintain the rights and equality guaranteed to her by the compact into which she had entered, and to enjoy the domestic tranquility which was one of the prominent objects of that compact to secure to her. She has now passed the rubicon, and with no intention of taking any steps backwards. Already in alliance with other of her sister and neighboring States who have formed a provisional government, and intend speedily to organize a permanent government upon the basis of the Constitution of the United States, she looks with interest to those of the Slaveholding States who have not yet cast in their lot with her, and from whom she has been compelled to separate, not without feelings of deep and poignant regret. They have heretofore battled with her for the same rights, triumphed with her in the same successes, and mourned with her over the same reverses. Although it is well known in Georgia that Delaware, in proportion to her population, has not as deep an interest in the institution of slavery as the other border Slaveholding States, yet it is well known that she is identified with Georgia in interest, more so in sentiment, in principle, and in sympathy; and it is confidently believed is destined, ere long, under the force of events rapidly crowding upon her, to be identified with her in action and in her future destiny.

It is no part of my duty to indicate to the State of Delaware what course it may comport with her honor or her interest to pursue, yet pardon me in making the suggestion that the Cotton States are agricultural in the pursuits of their people, and have heretofore been dependent on the Northern States mainly for the products of manufacturing and mechanical labor. Hereafter they will look for these products across the Atlantic, if they cannot be furnished

by States in alliance with them. Those Southern border States, therefore, who are far advanced in manufacturing and mechanical skill have now tendered to them the entire South for a market, and that without a rival.

One other consideration. Free trade or an approximation to it will probably prevail in the Southern Confederacy. Delaware has her sea ports. Is it unreasonable to suppose that under the high protective tariffs that will prevail in the Northern Confederacy, that those sea ports may attach to them when they can sell goods at lower prices, because imported under a lower tariff, an extensive and valuable commerce which never heretofore has reached them? But on this topic I forbear.

I have only to add, that it is the sincere and earnest desire of the State of Georgia that all the Slaveholding States may be united in the Confederacy, the nucleus of which is already formed, and that Delaware will be among them, exhibiting as she has done in the Union that has ceased to exist, her full quota of talent and moral worth, and contributing her full quota to its prosperity.

With sentiments of profound respect,

I have the honor to be,

Respectfully,

Your obedient servant,

D. C. CAMPBELL.

[*Report of Gen. J. W. A. Sanford, Commissioner from Georgia to Texas.*]

MILLEDGEVILLE, March 7th, 1861.

SIR :—

It is known to your honorable body, that on the day after my appointment as Commissioner to Texas, I set out for the city of Austin, the Capital of that State. Upon my arrival at that point, I found its Convention in session, and forthwith proceeded to make known the object of my mis-

sion. I am happy to inform you that body of enlightened statesmen and patriots, cordially endorsed the late action of Georgia, and their people, not less cordial in their approval of her course, have followed her example and proclaimed in the last four days, with almost one voice for Southern independence and the establishment of a Southern Confederacy. Although their determination, in this respect, from its public notoriety must have already reached you through different channels, yet I have considered it proper in closing my embassy, to authenticate the fact by communicating it officially to your honorable body.

From the evidence which this spirited and patriotic race of men have thus given of their loyalty and devotion to Southern rights, I feel that I pay but a just tribute to the courage and patriotism of the people of Texas, in saying, having upon mature deliberation, adopted this measure as *a last resort to protect their interests and institutions from Northern encroachment and usurpation, and to vindicate their honor and character from the ignominous imputation of abject submission to wanton outrage and insult, they will stand by their act "at every hazard and to the last extremity."* In my admiration of their conduct, I *can not but contrast their noble attitude with the humilitating supplicating posture of others vainly begging upon their knees, as a gracious boon what as freemen and equals* they should demand with arms in their hands.

Upon the occasion of this most welcome and valued accession to our cause, I rejoice that it is our privilege to hail the "Lone Star" as one of the Southern Constellation, making now our number seven. Like the seven stars of the Heavens, may they revolve harmoniously in their orbit, increasing in beauty and splendor in their onward and upward course; unlike the fabled Pleiades of antiquity, may no one of their number shoot madly from its sphere, unhappily doomed to become an isolated wanderer, with no fixed track until all set to rise no more.

I have the honor to be with sentiments of high consideration, your most obedient servant,

J. W. A. SANFORD.

HON. GEORGE W. CRAWFORD,
President of Georgia Convention,
Savannah, Ga.

[*Report of A. R. Wright Esq., Commissioner from Georgia to Maryland.*]

SAVANNAH, March 13th, 1861.

To Hon. G. W. Crawford, President &c.,

SIR:—

Under your appointment of myself as Commissioner to Maryland, I visited that State on the 18th ult., and found in session on that day in the city of Baltimore, a Convention of her people assembled, to take advisory action upon the condition of the country.

This Convention, I learned, was not a legally constituted body, authorized to take definite and binding action, but was a voluntary assemblage of the people, which had no power to commit their State to any line of policy. I did not therefore feel authorized under the ordinance of your body, prescribing the duties of your commissioner, to lay before them the action of our State, or to hold any intercourse with them of an official character. I visited the Convention (unofficially), and being invited to a seat on their floor, attended the meetings of the same during the two days of their session. I found the members of that Convention, comprising as it did, a number of the best men and highest talent of the State, while they thought the Cotton States had acted with undue haste and precipitancy,—almost unanimous for resistance to Black Republican rule, and determined to co-operate with the seceding States, in the event that Virginia should determine to withdraw from the Federal Government. The situation of Maryland geographically, is such, that however mortifying it may be to her gallant sons, she is compelled to direct her action in concert with Virginia, that State and North Carolina, lying immediately between her and the Cotton States.

The Convention after a session of two days, adjourned to reassemble on the 12th inst., unless in the interval Virginia should take decided action, in which event they were to immediately re-assemble for binding and definite action. Before adjourning however, that body passed the following resolutions:

"The committee on resolutions, through their chairman,

Hon. Robert McLane, submitted to the Convention the following resolutions:

Whereas, It is the opinion of this meeting, that in the present alarming crisis in the history of our country, it is desirable that the State of Maryland should be represented by judicious, intelligent, and patriotic agents, fully authorized to confer and act with our sister States of the South, and particularly with the State of Virginia.

And whereas, such authority can be conferred solely by a Convention of the people of the State.

And whereas, in the opinion of the meeting, the Legislature not being in session, a full and fair expression of the popular will is most likely to be heard by a Convention called by the recommendation of the Executive.

And whereas, it is alleged that the Governor now has it in contemplation to recommend by proclamation such a movement in the event of a failure by the Peace Conference and Congress to effect any satisfactory solution of the vexed question now agitating the country. Be it therefore

Resolved, That we shall approve such a proceeding on the part of the Governor, and add the voice of this Convention to urge the voters of this State to regard such proclamation. And with a view to allow time for the action of the Governor in the matter, the Convention will adjourn until the 12th day of March next, unless intermediately the State of Virginia should by her sovereign Convention, secede from the Union, in which event and in case the Governor of the State shall not have then called a sovereign Convention of the people of this State, this Convention shall at once assemble at the call of the President, with a view of recommending to the people of this State, the election of delegates to such a sovereign Convention.

Resolved further, As the sense of this Convention, that the secession of the several slaveholding States from the Federal Union was induced by the aggression of the non-slaveholding States, in violation of the Constitution of the United States.

Resolved further, That the moral and material interest, and the geographical position of this State demand that it

should act with Virginia in this crisis, co-operating with that State in all honorable efforts to maintain and defend the Constitutional rights of its citizens in the Union, and failing in that, to associate with her in confederation with our sister States of the Union.

Resolved further, That the honor of this State requires that it should not permit its soil to be made a highway for Federal troops, sent to make war upon our sister States of the South, and it is the opinion of this Convention that an attempt on the part of the Federal Government to coerce the States which have seceded, would necessarily result in civil war and the destruction of the government itself."

On the 25th of Febuary, I visited for the third time, Annapolis, the seat of Government, (having failed while there on a former visit on the 21st, to meet the Executive) and waited upon Gov. Hicks, and after a personal interview, and pretty free interchange of opinion with his Excellency, I handed to him the ordinance of secession, with which I was intrusted, and also a written communication in which I endeavored to justify and explain the action of the State of Georgia; and attempted to show that the material interests of Maryland would be greatly promoted and advanced by her co-operation with the seceding States. To this communication, (a copy of which is hereto attached,) I have received no reply, although upon the suggestion of Gov. Hicks, that he would favor me with a reply at his earliest convenience, I waited for two days to receive such communication as he should be pleased to make to your body.

In the absence of any written reply to my note of the 25th ult., I can only give to your honorable body the result of the personal interview I had with the Governor, and I regret to say that I found him not only opposed to the secession of Maryland from the Federal Union—but that if she should withdraw from the Union, he advised and would urge her to confederate with the middle States in the formation of a Central Confederacy. He also informed me that he had already, in his official character, entered into a correspondence with the Governors of those States, including New York, Pennsylvania, New Jersey,

Delaware, Virginia, Missouri, and Ohio, with a view, in the event of an ultimate disruption of the Federal Union, to the establishment of such Central Confederacy. He thought our action hasty, ill-advised, and not justified by the action of which we complain, and that we were attempting to *coerce* Maryland to follow our example; that he had great confidence in the Peace Conference then in session in Washington, and had assurances that that body would agree upon a plan of adjustment that would be entirely acceptable to Maryland—that the proposition before the Conference known as the Guthrie plan, was a fair and proper basis of compromise and settlement. He also informed me in the course of our interview, and in answer to a direct enquiry from me on that point, that in the event of the Federal Government's attempting to coerce the seceded States, that he would interpose no objection to the marching or transporting of troops through his State, and their embarkation at Baltimore by the Federal Government for that purpose—that as chief magistrate of the State he had no power to prevent it, as it would not be an invasion of his State—and that he would *not* convene the Legislature under such circumstances that they might take action in the premises. These opinions and views of the Governor's I have reasons to believe are not entertained by a majority of the people of Maryland. Indeed, I have no doubt that the people there would spontaneously rise *en masse* and resist the invaders, though it encrimsoned their soil with the best blood of the State. The people, then, in my humble judgment, are true to the memories of the past. They are a gallant, patriotic, and brave people, whose feelings and sympathies are warmly enlisted in our cause; and although some of them do entertain the opinion that we have, perhaps, acted precipitately, they acknowledge that our action is fully justified by the events of the past, and declare their determination to assist us if need be, in sustaining our independence. It is greatly to be regretted that such a gallant people should be prevented by their own officials, however high they may be, from giving an authoritative expression of their conviction, and of taking such action, as, in their judgment, the affairs of the country demand.

Without the consent of Gov. Hicks, neither the Legislature nor an authorized Convention, can be assembled, and I have no hesitancy in stating that he will never convene either. If Virginia shall withdraw from the Union, the people of Maryland will, in the shortest possible period of time, assume the responsibility, assemble in spontaneous Convention, and unite their destinies with the Confederate States of the South.

In conclusion, I would respectfully add, that this communication would have been made at an earlier day, but that I waited, hoping to receive an answer from Gov. Hicks, before I laid before your body the result of my mission. I have the honor to be, very respectfully,

Your ob't. serv't.,

A. R. WRIGHT.

ANNAPOLIS, MD., February 25th, 1861.

To his Excellency Thomas H. Hicks, Governor, &c.

SIR: I have the honor herewith to enclose to your Excellency a copy of "an Ordinance to dissolve the Union between the State of Georgia and other States, under a compact of Government entitled 'The Constitution of the United States of America,'" passed by the people of Georgia, in Convention recently assembled, at the Capitol in Milledgeville; also, a copy of an Ordinance passed by the same body for the appointment of Commissioners to each of the non-seceded slaveholding States; together with my appointment as the Commissioner of Georgia to the State of Maryland.

The Ordinance creating the office I have the honor to hold, makes it a part of my duty to urge upon the State of Maryland the policy of withdrawal, or secession, from the power known as the United States, and co-operation with the State of Georgia, and other independent Southern States, in the formation of a new Confederation and Union, for the mutual defence, protection and welfare of the Southern States, and for the promotion of the happiness of their citizens.

The people of Georgia have labored for years past, with anxious solicitude, for the preservation of the Federal

Union, and have made many sacrifices, both of rights and of honor, to avoid the dire necessity of resistance to Federal encroachments, and Northern insults and injuries. This pacific and yielding policy of her people, has been received at the North as merely increasing evidence of our weakness and utter dependence upon the Federal Union for protection and happiness.

It cannot be denied that for more than thirty years, the Northern people have been waging a violent, inflamatory and wholy unjustifiable war upon the institution of domestic slavery as it exists in the Southern States—an institution which underlies our whole social system, and upon the perpetuity of which, depends in a large degree, the wealth, prosperity, and general welfare of the entire South.

First commencing their attacks upon slavery in the States, they continued their assaults, until the united South, assisted by a large and respectable portion of the people of the non-slaveholding States, with common intent, met at the ballot boxes of the country, and overwhelmned them with defeat and shame. The old "Abolitionist" party proper, never commanded the respect, nor received the support of any considerable number of the Northern people; and hence their attacks, although highly insulting and highly aggravating in their character, and clearly violative of their constitutional obligations, were harmless, except so far as they tended to inflame the passions, arouse the jealousies, and excite the hatred of the Southern mind.

The people of Georgia, while they have ever abhorred the canting philanthropy and the religious intolerance, and treasonable machinations of the "abolitionists," have heretofore cherished a kindly and fraternal regard, and on all suitable occasions, have manifested a warm and cordial appreciation of the intelligence, virtue and patriotism of the great body of the Northern people, who have in the past so nobly breasted the popular clamour and blind fanaticism of their own section, in defence of the Constitutional rights of the South.

The increase of our public domain acquired by our contest with Mexico—a contest in which, without dispar-

agement to any, it may be said that the South contributed as much of men and of means, and shared as much of the common glory won upon those ensanguined battle fields, as any other portion of the Confederacy—gave birth to a new organization, which sprung from the dead body of abolitionism, having for its avowed object the preservation of this acquisition from what they were pleased to term the "blasting effects of involuntary servitude."

Disappointed office hunters, ambitious politicians, and corrupt demagogues, found here a common ground from which to make their assaults upon the Constitution and the Union, and by which, they were borne into importance and power. The result of the recent Presidential election has shewn but too well the sagacity of their movement, and the success of their organization, had we not been already convinced of their power—and their power for harm—by their absolute control of the State Governments of the entire anti-slavery portion of the Confederacy.—Contemporaneous with the success of this corrupt and treasonable organization, has been the melting away of the old conservative element there, until it has ceased to be able to make itself potent for the preservation of our Constitutional rights.

It is hardly necessary that I should attempt to enumerate the several acts of this new organization, for "they are read and known of all men," which have impelled the people of Georgia to the extreme measure of a total dissolution of the bonds by which they were joined and confederated with the States of the North in a common government. They have passed laws insulting and oppressive to us, and in open violation of the express letter of the Constitution; they have sought by acts of the Federal Congress to deprive us of all right to participation in the settlement of our common Territories; they have set on foot and organized emigrant aid societies, for the purpose of sending foreign and pauper immigrants into the Territories of the Union, to crush out and prevent immigration to those Territories from the Southern States; they have enticed from service our slaves, and refused, though the demand was made upon a clear and indisputable provision of the Constitution, to deliver them up

to the lawful posession of their owners; they have with force and violence rescued our slaves from the possession of their masters who have been, with their families, temporarily sojourning in the Northern States; they have unlawfully torn from Southerners, who have been forced by stress of weather to touch at their ports, their entire property in domestic slaves, and their Courts of Justice, (so called) have sustained them in the robbery; they have attempted by inflamatory and incendiary appeals made through the public presses, to incite our slaves to rebellion and insurrection; they have refused to render up for trial fugitives from justice, flying from crimes committed at the South, whenever the crimes with which they were charged were committed in relation to slavery, although the Federal Constitution declares it their duty so to deliver them up; they have invaded the soil of a sister Southern State with an armed force, for the purpose of exciting insurrection, and have murdered in cold blood her quiet citizens; they have refused to deliver up for trial individuals charged with being accessory, before the fact, to such invasion, insurrection and murder; they have, in their State Legislatures, passed laws making it *felony*, and punishable with imprisonment for terms extending from two to fifteen years, for a master to assert upon their soil his rights to a fugitive slave; and finally, they have by a combination of all the elements of antagonism to Southern institutions, in the non-slaveholding States, succeeded recently in the election of Abraham Lincoln to the Presidency of the United States, upon a platform of principles alike sectional in their character, and dangerous to the peace, welfare, and domestic tranquility of the slaveholding States.

With these startling facts before our eyes, what reasonable hope can be entertained that the Northern mind will undergo a change—will yield its prejudices? Can it be expected that a party which has been so long struggling for power upon an issue so inwoven with their religious fanaticism, will, in the full flush of their first and most decided victory, renounce the principles, and deny the faith which has alone secured them place and power? They know but too well that utter ruin and disgrace at home,

would follow close upon any adjustment or compromise which they might make, that would be satisfactory to the South. The long-gathering and destructive political storm which has recently swept the North from Maine to Minnesota, is but an earnest of the deep hatred and determined hostility of their people to our institutions. And now that the first shock of the tornado has been received, and its fury spent upon our heads, is there yet discernable any indication of returning calm and quiet? Who has been able, up to this moment, to discern a single ray of hope in the dark and lowering northern horizon? What dove of promise has discovered the "dry land and the olive branch" in that great sea of intolerance and hatred?

The very existence of the Republican party is depending upon their firm and unwavering determination to enforce by all possible means the policy of crushing out African slavery in all its conditions and in all its strongholds. *The irrepressible conflict with them is but just begun.* Their mission is to annihilate slavery from the American continent, and to know no diminution of their labour until that object is accomplished. Do the Northern people intend to retrace their steps? Then why, as State after State has fallen from the Union, as star after star has been blotted from their flag, have they not long ere this, given us an earnest of their desire for conciliation and compromise?

With a commanding majority in both branches of the National Legislature the Northern States have failed, and refused, to take any action which would lead to the least surrender of their treasonable designs, or afford the slightest encouragement to the Southern mind, of their willingness to perform, in good faith, their constitutional obligations. Weeks and months have been passed in the Federal Capital by the Representatives of the Nation, and not a single indication of returning wisdom has been given to our people. And while the whole powers of the Federal Government have been taxed to their utmost limits, in efforts to intimidate and coerce the Southern people, the subject of their grievances has been kept buried in the committee rooms of both houses of Congress, while day after day have our Representatives urged, nay *implored, immediate and pacific action.* The Executive at Washington, as the

storm gathered close and thick around him, has discarded his long-tried and faithful advisers, and has called to the supreme control of affairs both civil and military, a disappointed, ambitious military chieftain, whose only merit for such a trust is his partiality for *soup and slaughter and his hatred of Southerners and slavery.*

And even now when seven sovereign States have withdrawn from all connexion with the Federal Government—when the entire South is alarmed and irritated by the success of the Republicans, they attempt to allay their fears and quiet their apprehensions by a display of Military force at and around Washington, and the adjoining States of Maryland and Virginia, wholly incompatible with the safety of those States, and utterly destructive to their liberties. These are the overtures of peace extended to us now by the Northern Federal Government, *Scott and scorpions, cannon and cartridge.*

But could the South in safety again rely upon the pledges of the North, were they in the possibility of events to be offered anew to us? What paper writing more solemn—what instrument so sacred—what compact so clear—what compromise so just as the Constitution of the United States? yet they have violated its spirit, broken its letter, and destroyed its vitality. By what bonds can such a people be held? They ignore the Bible, violate oaths—nullify the laws, and Pharisaically call upon Jehovah to guide and support them in their infamous course.

These are a few only of a long series of acts of hostility to the institutions of her people that have forced the State of Georgia to dissolve forever her connexion with the Federal Government, and to declare herself what of right she is, and ought to be, *a free, sovereign and independent State.*

Georgia feels that she has not alone suffered wrong and injustice from the Northern States. Neither is it her individual wrong only, which has caused her recent action. She feels intensely the wrongs done and injuries inflicted upon her sister Southern States; and while it is true that her people have perhaps suffered less in some respects, than the people of Maryland and the entire border Southern States, she no less makes their wrongs her wrongs, and their cause her cause, and is prepared to take common

action with her sister States, for the preservation of their common liberties, and the defence of their common rights at all hazards, and to the last extremity.

The *right* of Georgia to secede from the Federal Union for *existing* causes she does not admit to be a debatable question. As a sovereign State she threw off her allegiance to Great Britain in 1776. As a sovereign independent State in 1788, she ratified and adopted the Federal Constitution; and as a sovereign State she has now repealed and annulled her former adoption and ratification of that Constitution, and has set up for herself an independence and equality among the nations of the earth, which she expects and demands shall be clearly and explicitly recognized and admitted. Still, recalling the blessings enjoyed, the wealth power and happiness conferred upon her people, in the earlier days of the Republic under the operation of the Federal Union, and the Constitution as expounded and enforced by the patriot fathers of those days, she is anxious to associate herself with the slaveholding States, in a new confederated Republic upon the basis of the old Union, and has elected delegates to represent her people in a Southern Convention now assembled at the city of Montgomery in the State of Alabama, for the purpose of organizing a provisional government for the seceding States, and the adoption of a constitution, and the establishment of a more perfect union among her several sister Southern States.

In this great work of re-organization she cordially invites the co-operation and assistance of the State of Maryland. She is not unmindful of the past history of your noble State, neither has she forgotten the proud name that cluster in undying glory upon the broad pages of your State's history. The people of Georgia feel a just and proper pride in the fame, the virtue, the intelligence and patriotism of your statesmen; while the courage and bravery of your sons in the field have made their names as familiar to her people as "household words." The past of Maryland gives strong encouragement to Georgia to hope, that in the present trying exigency in which she, with her Southern sisters, from no fault of their own, find themselves placed, your gallant State will, though slowly it may be, yet surely be found side by side with the firmest

in determined resistance to Black Republican rule. Maryland owes this to herself no less than to the other Southern States. The wealth, population and commercial importance of her great Metropolis, Baltimore, point out that city as the great commercial and financial centre of the Southern Republic. Under the oppression and unequal administration of the present Federal Government, she has maintained the third rank in the list of American cities. That she has natural and artificial advantages equal, if not superior to New York and Philadelphia, is plain to the commonest observer. Under a friendly, or even a fair system of government, she would soon take rank among the first cities of the world. As long as Maryland continues a dependency upon the Northern Federal Government, restrictions, limitations and discriminations, will continue to be made against her commercial interests, and prosperity. Baltimore, from her natural advantages, no less than from her varied and extended commercial relations with the civilized world, will become the great importing agent for the entire South; whilst her facilities for, and her great proficiency in the art of ship-building will make her the carrier of our immense productions of rice, grain, cotton and sugar.

I cannot attempt in this place to point out fully all the material advantages to be gained by your State, by a cordial co-operation with the seceding States; nor do I think it proper or becoming in me, as the representative of Georgia, to urge your action upon such sordid and selfish considerations.

Georgia knows and feels the great embarrassments which surround the State of Maryland, and which renders her position a critical, and it may be a dangerous one. Still she feels that the descendants of Chase, of Carroll, and of Hauson and McHenry, can never be long deterred from proper action, by a consultation with their fears. Georgia is fully informed of the ample preparations made by the Federal Government to enforce from Maryland, even at the point of the bayonet, if need be, obedience to her will. She regrets that the seeming doubtful policy of your State, and her hesitation in taking a prompt and decided position with her Southern sisters in demanding redress of her

grievances, has entailed upon her people the armed occupation by the Federal troops, of the fortresses within her borders, which were designed and constructed for her safety and defence. We are sensible that your position now, is far worse than it was a few weeks past; that the Federal Government anticipating your probable action in defence of your liberties, has, with a view to crush in its incipiency, any feeling of resistance to her foul domination, placed cords about you that will be difficult to sever. Yet the danger of your position only increases our solicitude for your future action; while Georgia would not desire, much less advise your State to inaugurate any movement which should unnecessarily increase your difficulties and dangers, she is nevertheless anxious that you should be permitted to act entirely free from Federal influence and Federal arms.

To this end she authorizes me to declare to you, and through you to the people of your noble State, that to the full extent of her ability she is determined to assist and support you in any action which your State may decide to adopt for the preservation of your rights and liberties. Your cause Georgia makes her cause, your quarrels her quarrels, and your dangers her dangers. The report of the first Federal gun fired upon your soil, as it falls upon the ears of our hardy sons will call to your side from their forest homes upon mountain top and low land, a body of freemen, whose valor and prowess will make them no mean match for Federal mercenaries.

The State of Georgia has taken *her* position after a full and careful consideration of all her grievances and difficulties, and with a full knowledge of the many embarrassments to be encountered in her new character, yet she is determined to take no step backward. Having dissolved the ties which bound her to the Federal Union, she casts no longing eyes towards the past. There is now no more "hankering after the flesh pots of Egypt" among her people. Having for years past interceded—nay, implored our Northern Confederates for *simple justice*—never having at any period of our history ever asked for *special privileges* for our section; having plainly and fairly informed the Northern States of our determination to resist, even to a

disruption of the Union, all other and further encroachments upon our rights, we feel that we shall be fully justified by the enlightened public sentiment of the civilized world in the action we have taken.

We have determined to listen to no more compromises with the Northern States. They have proved faithless in all their pledges heretofore given, and we can have no assurance from such a people that they would carry out any offer or settlement, which may, through their fears be now extorted from them. Georgia warns Maryland against any patched up adjustment of existing difficulties. While Maryland would feel bound in honor to abide such adjustment in good faith, if made, her Northern confederates would upon the first occasion which promised advantage to their cupidity, entirely disregard and violate their compact.

Even if the slavery question were now settled to the entire satisfaction of her people, Georgia would be unwilling again to confederate with a people whose views of the power of the Federal Government are so entirely different from her own. While a member of the late confederacy, she did not yield her sovereignty as a free and independent State, except so far as was granted by the express letter of the Constitution.

The power of the Federal Government, she has always contended was restricted, limited and confined within the letter of that instrument. In the opinion of our people, the framers of the constitution rested its support and power upon the *consent* of the people of the different confederated States, and never contemplated the employment of *force* against a sovereign State, to coerce its submission to, or continuance in a confederation, deemed by its people oppressive and tyranical. Our fathers had but too recently felt the necessity which forced a loyal and true people to throw off a government, which proudly claimed to be the only power on the Globe, whose citizens were secured in the enjoyment of constitutional liberty. With the experience of the then recent past, the statesmen of 1788–9, looked with far-seeing sagacity, to the possibility of a loss of their liberties so dearly won, unless the new Government about to be adopted for their protection, should be so limited and confined in its powers, and so arranged in its details,

as to receive its entire force, efficacy and power, from the enlightened public sentiment of the country, the full, free, and cordial assent of the governed. This has always been the view entertained at the South, in regard to the powers of the Federal Government. Indeed, one of the New England States, one which now denies the sovereignty of the several States, and is urging the government at Washington, to use the power of the Army and Navy to reduce to subjection the seceding Southern States, on no less than two occasions in its past history, has claimed for itself the right to judge of the infractions of the Federal Constitution, and to assert its right and duty to dissolve all further connexion with the Federal Union. The doctrine of State Rights and State Sovereignty, as enunciated and declared in the "*Virginia–Kentucky*" resolutions of '79, we have held to be the chief safeguards of the liberties of the American people. For the first time in our national history this doctrine has been ignored and denied by a commanding majority of the States of the Union.

Our safety requires that we should look now alone to our own efforts and resources, for the protection of our liberties and property, so emphatically denied to us by our Northern associates.

Maryland, in the opinion of Georgia, cannot with safety to her citizens, continue longer in confederation with the States of the North. And while we would not attempt to advise a people of such known intelligence and patriotism as to their duty in this trying emergency, the fraternal regard we have ever borne towards your State, and the deep solicitude which as brethren sprang from the same ancestry, with institutions so identical and interests so reciprocal, impels us to give you our solemn warning of the dangers which surround you, and which threaten in our honest judgment, to destroy your domestic institutions, and impede the prosperity and wealth of your noble State.

Having with the kindest feelings and purest motives done this, we are content to leave the issue with the good sense and patriotism of your people.

Very Respectfully,

Your obedient servant,

A. R. WRIGHT,

Commissioner from Georgia.

[*Report of Samuel Hall, Esq., Commissioner from Georgia to North Carolina.*]

OGLETHORPE, GA., 13th March, 1861.

DEAR SIR :—

Having been honored by the Convention of the people of Georgia with the appointment of Commissioner to North Carolina, to lay before the Convention or Legislature of that State, if either should be in session, and if not, before the Governor, the ordinance by which Georgia seceded from the late government of the United States, and to invite the co-operation of North Carolina, with her and other States that had seceded or might secede, in the formation of a Southern Confederacy, I took my departure early in February last, and reached Raleigh on the eleventh of that month. On that day I waited upon his Excellency, John W. Ellis, the Governor of the State, and made known to him my appointment and the purpose of my mission. He received me with cordiality and entered into the purposes of this State with a cheerfulness and spirit which convinced me that the people of his State still held us in high regard and cherished for us sincere respect and esteem. The Legislature being in session, his Excellency promptly communicated to them my commission with the accompanying ordinance of secession. In response to this communication the "General Assembly," by a vote of both houses, appointed a joint committee to wait upon me, to tender the privilege of the floor and invite me to address that honorable body upon the subject of my mission. Every hospitality was offered and every attention was paid to your Commissioner. Individually, I appropriated none of this to myself, but received it as a mark of respect to my State.

Having accepted the invitation extended to me to address the "General Assembly," I was, on Wednesday evening, the 13th February, introduced to them by the chairman of their joint committee. Encouraged by the assurance given me in this introduction, that the Legislature and people of North Carolina admitted and "knew that the wrongs of which we complained were their wrongs," "that the cause for which we were battling and preparing, if need be, to sacrifice our lives, was their cause," that they recognized

us as "their kindred" and "would never turn a deaf ear to the voice that came up from us," I proceeded to deliver an address setting forth the causes which led to our separation, justifying, according to the measure of my feeble ability, the mode and measure of redress we had adopted, and vindicating the right of secession as regular, lawful and constitutional; holding that it should be therefore regarded as peaceable. Assuring North Carolina of the cordiality with which she would be welcomed to the embrace of her ancient confederate and ally, I endeavored to persuade her that she would find her true interest, prosperity and honor in uniting her destiny with the "Confederate States of America." That the affection of the members of her Legislature and the large audience of her sons and daughters that honored me with their presence, is still warm and strong for their former sisters, whose safety and honor required them to resume the powers delegated to a government which has failed to secure the one or regard the other, I had still more flattering and encouraging proof in the indignant and universal negative response made to the question propounded, "whether they would see Federal troops march from or through their State to coerce and attempt to subjugate their Southern brethren."

In response to this address, I was charged by the General Assembly, through their accredited organ, the Hon. Henry T. Clark, Speaker of the Senate, to bear this message to the people of Georgia:

"After giving this momentous question our best and most anxious deliberation, we have referred it to the sovereign people in convention assembled. Their judgment and decision will form the guide of our faith and the rule of our conduct, and to that tribunal alone can we look for any authorized response to the friendly counsels and suggestions of our fellow suffering sister State. But without reference to the amount of our sympathy or the extent of our co-operation with her in her present struggle, we will at least assure her that no hostile foot shall ever march from or through our borders to assail her or hers."

I take the liberty of transmitting, through you, to the Convention, a copy of the remarks I had the honor to submit on the occasion.

What seemed to me the greatest obstacle to the immediate co-operation of North Carolina with the "Confederate States," was the belief entertained by the larger number of her citizens that the "Peace Conference," (so called) then in session at Washington city, would grant the demands for new guaranties in the Constitution made by Virginia and North Carolina that their recommendation would be sanctioned by the Congress of the United States, and adopted by the requisite majority of the States remaining in the old Confederacy to make it a part of the Constitution, and that upon this basis an entire reconstruction of the Union would be affected.

In combatting this view, I ventured the opinion that so far as the action of the "Peace Conference" and Congress was concerned, this confidence would be disappointed; but even if it was fully met and sustained, it would not be acceptable to the States that had seceded, that they had no objection to the old Constitution, which, when properly interpreted and fairly carried out, was adequate to secure all the objects for which it was formed; that there could be no more solemn or binding covenants than those contained in that instrument, the fault was not in the law but in its execution. We could not expect the Northern people to observe new compacts better than they had observed the old; that they would have to be re-educated; their morals would have to be reformed, and their very natures changed before we could again give them our confidence; that so far as we were concerned the separation was "final and irrevocable," and the people of North Carolina were therefore reduced to the necessity of choosing between an alliance with the North or with the Confederate States of America. I was fully justified in my statement as the disposition of our people to reconstruct, by the declaration made by the able Commissioner sent by the Legislature of North Carolina to the Southern Congress at Montgomery, who reported from ample means of information, contemporaneously with my arrival at Raleigh, that the persons in the Confederate States, in favor of such a measure, constituted an exceedingly meagre minority.

That I was right as to the action of Congress and the "Peace Conference," subsequent events have fully estab-

lished. I have delayed this communication that I might lay before the Convention the result of the election which took place in North Carolina on the 28th ult.

The question submitted to the people by the act of the legislature was whether they would call a Convention. Those voting for a Convention were generally understood to be in favor of separate State action as a step preparatory to co-operation with their Southern sisters. The short time that elapsed between the passage of the act and the election precluded the possibility of anything like a thorough canvass of the State; in fact, it is only within the last ninety days that the subject began to be agitated in public meetings. The friends of separate State action were then few, but now they number nearly fifty thousand. Their defeat in the recent election by a popular majority of less than one thousand gives us no reason to feel discouraged. The election occurred on the day after the "Peace Conference" adjourned, and I am informed from sources entitled to the highest credit, that the result was brought about by dispatches sent to the central and western portions of the State, announcing that the "Conference" had agreed upon a satisfactory adjustment, which would certainly be adopted by Congress. If such means were resorted to, we can only calculate with greater certainty upon the reaction which will occur in popular sentiment; indeed it is now said that the reaction has already taken place, and that the advocates of separate State action and an alliance with the South have a decided majority of the suffrages of the State. A delegate to that Conference, who, prior to its meeting, was an ardent friend of the Union, has, since his return, stated to his constituents that their propositions for amendments to the Constitution, were, five distinct times, voted down by large majorities, and that in lieu thereof (as is apparent to every one at all acquainted with the scheme proposed) that they were thereby prohibited from exercising the right they now have of going into the territories north of 36 deg. 30 min. north latitude with their slaves, while their right to emigrate with that species of property to the territories south of that line will depend upon the interpretation placed upon the common law by judges deadly hostile to their interests, insult is added to this certain exclusion by de-

manding the recognition by the Southern States remaining in the old confederacy, of free blacks as citizens of the Northern States which they inhabit and by extending to them all the rights and privileges of citizens of the several States; this plan has rendered the fugitive slave law (already an insufficient protection to the rights of the South) worse than a dead letter, by guaranteeing payment to the owner of the slave out of the Federal treasury, whenever such a fugitive is withheld from the custody of his master by the action of a Northern mob or Northern State laws and tribunals; thus holding out a direct inducement to the abolitionists to free the slaves of those people and to compel them to use their own means, at least in part, and in great part, too, to compensate themselves for their losses. This scheme was voted against by North Carolina, Virginia and Missouri in the conference, and the delegate above alluded to has advised his constituents that their only safety is in a Union with their Southern sisters. I believe, from all that I can learn, that a very large majority of them are agreed with him as to the character of this *concession*, and that they only await an opportunity to give effect to his sound and patriotic advice. Delay in this respect must result in material injury to the State in the loss of its slaveholding population, with the property held by it, which will seek safety by emigrating to and settling in the Southern Confederate States. Under these circumstances I cannot doubt that an opportunity will be afforded at an early day to the people to vote again upon the subject, and when the vote is taken, I have still less doubt of what will be the popular verdict. I therefore confidently anticipate, in a very short time, the co-operation desired and invited by Georgia, and that we shall have the happiness of welcoming with open arms and joyful hearts, our honored and loved sister to our new and better Union.

I have the honor to subscribe myself,

Very respectfully,

Your obedient servant,

SAMUEL HALL.

To Hon. George W. Crawford,
President Convention, Georgia.

REMARKS OF SAMUEL HALL, ESQ.,

Commissioner from Georgia, before the General Assembly of North Carolina, on February 13th, 1861.

Messrs. Speakers and Gentlemen of the General Assembly:

Although I cannot with many of my fellow citizens, greet this good old commonwealth as the land of my birth, yet with still greater numbers of them, I can claim her as the home of my ancestors, and participate with just pride in her historic fame. I may felicitate myself upon being commissioned in this second crisis of our liberties, to a people who were the first to take open and decisive ground against unconstitutional taxation—who first proclaimed the principles of American independence, and upon whose soil the arms of the soldiers of liberty were first crowned with victory. To the descendants of such men I confidently make my appeal, and in bearing to this General Assembly a message from her ancient confederate, and ally, and in asking her co-operation in the important step we have taken in common with several others of our sisters, I need hardly assure her that Georgia has no disposition either to dictate or offer unsolicited advice.

These two States have been ever united by the closest ties—no rivalry in the past has sprung up between them, and their amicable relations have never been disturbed. To you we are indebted for no inconsiderable portion of a population which we flatter ourselves has not deteriorated by being transplanted, and which we can truly say is no discredit to the kindred and friends they left behind them. Shoulder to shoulder Georgia and North Carolina marched through the revolution—they joined their counsels and united their wisdom in forming that compact of government called the Constitution of the United States, and were mainly instrumental in procuring provisions in that instrument for the increase and protection of slavery. Thus connected and bound to you, Georgia would have deemed herself deficient in the courtesy and the respect she owes you not to have given you timely information that she had dissolved her connexion with the late United States of America, and resumed the powers which she had delegated to

that government, and to invite you to co-operate with her and other States that have or may hereafter secede from the Union in the formation of a Southern Confederacy.

She will welcome you back to her warm embrace, and on account of the brief separation, feel only the more near when you return. She assures you that among her citizens

> "There are eyes will mark your coming,
> And look brighter when you come."

She knows she can suffer no peril that does not equally assail you—that your interest is her interest—your honor is her honor—your cause is her cause, and that the same destiny, be it "gloomy or bright," awaits us both. She therefore asks to lay before you, through her humble Representative, the causes which have impelled her to this separation, believing that they carry with them the force and dignity of truth, she indulges the hope that they will strike the great popular heart and mind of your State as they struck hers, and will result in harmonious and united action upon the part of her Southern sisters. In dissolving our connection with the late government of the United States we claim not to have overthrown the work of our fathers, but that our northern confederates seized with unfilial hands the pillars of the Constitution and overthrew the temple of our liberties. No act of bad faith has stained our escutcheon. We have kept the covenants of our fathers, and with the blessing of a kind and favoring Providence, we will, out of the same materials, reconstruct the noble old edifice. The government had scarcely been put into operation before our peculiar property was sought to be assailed in the Legislature of our General Government by a class of persons, who, however meek and gentle they may have been, and however blameless their lives in other respects, certainly contributed nothing to the establishment of the republic. This appeal was made to men fresh from the battle fields of the revolution, and well apprised of the scope and meaning of the Compromises contained in the Constitution and bond of our Union, and hence as might have been anticipated, was unsuccessful.

It was necessary to the increase of our strength and the consolidation of our power as a people, that we should acquire from France the vast territory extending from the mouth to the sources of the "Father of Waters," and in 1803 the Louisiana territory became by treaty a portion of our rich domain. In every foot of this territory the right to hold slaves existed, and this right was distinctly recognized and its protection guaranteed by an article of that treaty. That there was opposition to this measure, it would be idle to deny, and opposition, too, on account of the protection afforded to slavery;—but this opposition was confined to the people of New England, who seemed to be unmindful of the rich benefactions conferred upon all the States, by Georgia, North Carolina, and Virginia, in th e donations of their vast public territory to the General Government. Again, in 1812 the commerce of the Eastern States was attacked by a foreign power, and almost driven from the ocean. We of the South had little pecuniary interest in the contest, but it involved our honor, and against their protest we went to war with the mistress of the seas, and the laurel crowned fields of New Orleans stand to-day, as it will through all time, the vindication of the one, and the protection of the other. Nor did our liberality stop here. Not content with giving them a monopoly of ship-building and the coasting trade, we stimulated and encouraged their industry by bounties upon their pursuits. The war which terminated so gloriously, had crippled, and to some extent, exhausted their resources and embarrassed their manufacturing interests; again we taxed ourselves for their benefit, and sought by another generous sacrifice to augment their prosperity.

In 1820, a State formed out of the Louisiana Territory, in which our rights as slaveholders were recognized and protected by the supreme law of the land, presented a Constitution Republican in form and asked for admission into the Union upon terms of eqality with the other States. How were her advances met by our Northern confederates, by these people upon whom we had so generously lavished benefits and bounties? Was her advent greeted with sisterly affection and a grateful sense of the favors which the South had bestowed? No; she was scowled upon and her

approaches repelled! We were told that her Constitution recognized slavery, and that she could not be admitted except upon conditions degrading to the equality of her Southern sisters. Borne down by superior numbers, the South was compelled to succumb, and Missouri was rejected, except upon the hard and unconstitutional restriction, that slavery or involuntary servitude, except for crime, should be prohibited in all that territory north of a certain geographical line—a restriction which alarmed the fears and filled with apprehension, "like a fire bell in the night," the wisest and most sagacious patriots of the land. But our degradation was not complete, the cup of our humiliation had to be drained to the dregs. So opposed were these men to a recognition in any form or to any extent of our rights, that before the ink which recorded the so-called compromise was scarcely dry, they violated, if they did not repudiate, their own proposition, and a second time kept this star from our federal constellation. The pretext seized upon to effect this object was most extraordinary. The constitution of that State contained a provision to prevent the introduction of a free negro element in her borders. This it was pretended was a denial of the rights of citizens of some of the States, and consequently a violation of that clause of the Constitution of the United States which provides that the "citizens of each State shall be entitled to all privileges and immunities of citizens in the several States." But as monstrous and unfounded as was this claim, it would have been successful but for the indomitable courage, matchless eloquence and consummate statesmanship of Henry Clay, who resorted to the device of transferring this question from the decision of Congress, to the determination of the President of the United States, and instead of coming into the Union in the ordinary manner by act of Congress, Missouri was admitted by Executive proclamation. All this did not appease the insatiable appetite of our Northern foes. Our power had to be limited, and our influence in the Government destroyed, to enable them fully to compass their ends. The agitation was kept up by resolutions introduced into Congress to sanction, and by artful attempts to draw from the Supreme Court of the United States an opinion approving this outrage. Our people determined to abandon

this hopeless contest in Congress, and resort to their State Governments for redress. Gov. Troup, after noticing these attempts, alledged that we compromited our dignity by discussing the question, and having declared the "argument exhausted," adjured us "to stand by our arms." The Federal Executive and Congress, from past experience of his determination and spirit, knew this was no idle menace, and that they had to deal with a ruler and people who would not readily yield a position they had deliberately taken. The check given by this stern determination was only momentary in the life of a nation—faith was broken with one sovereign State through her treaty stipulations with the Federal Government.

An attempt was made to influence the legislation of another, and compel her submission to the most onorous impositions and burdens by federal troops. It was then discovered that the Constitution was not a compact, but formed a consolidated government, and upon this perverted view of our institutions, the liberties of this country would have perished, had not the clear discrimination, the great analytic powers and unsurpassed reasoning of JOHN C. CALHOUN been pressed into our service. With heroic courage he breasted the storm and single and unaided, except by the powers of truth, of justice and of right, constitutional freedom triumphed in his person over the combined powers of the Federal Government; the artifice, education and talent of the North—the touch of his blade, like the spear of Ithuriel, caused the fiend to tremble, and for a time allayed the demon. The cloven foot soon again displayed itself. Excuses to justify outrages are never wanting, and the inventive resources of our Northern friends, when they seek to assail our rights or drain our substance, are inexhaustible. They become suddenly enamored of the right of petition—devoted to the liberty of the press and the freedom of speech, and in order to test whether these justly prized rights were in danger, flooded Congress with a batch of incendiary petitions, praying the abolition of slavery in the District of Columbia, the forts, arsenals, dock yards and territories, and the interdiction of the trade in slaves between the States. The signers of these petitions—those who were prominently put forward in this agitation—were

without talent and destitute of influence. They were only the advance guard of the main army which was lying in ambush. They were treated with neglect if not with scorn. But John C. Calhoun again saw the elements of their power, and warned his countrymen against their insidious approaches—he clearly predicted each step that we would take in our progress to ruin; and so identical are his vaticinations with the circumstances that now surround us, that one ignorant of the facts under which these oracles were uttered, would suppose that he was recording the events of these times. He partially succeeded in his remedies by securing a rule which prohibited the reception and consideration of these petitions, and the passage of an act, making it penal to circulate through the mails such documents and prints as the laws of any of the States forbid. But in the endeavor which he made to declare the rights of the States upon the subject, and to prescribe the duties of the general government in relation thereto, he was not successful, and failing in this, these fanatics whose ardor no defeat could crush, took fresh courage—their numbers began to multiply, and their influence to strengthen with their numerical increase. Ambitious parties sought to propitiate them, and availing themselves of their position, they would by their votes cause the triumph of that faction which was most likely to increase their power. In this mode they obtained influence to remove the barrier which denied them access to the halls of Congress, and once having gotten admission their, there inflamatory doctrines found a way, at the public expense, to the popular mind through the printed proceedings of that body. Upon the annexation of Texas they renewed the struggle, and to soothe the Northern mind we consented to apply the Missouri restriction to that territory. Then came the Mexican war, and with our victory in that war an immense accession of territory. Foreseeing the result of the struggle, while opposing the progress of our brave soldiers at each advance by witholding necessary supplies, and praying that they might "be welcomed with bloody hands to hospitable graves," they nevertheless struggled to appropriate to their exclusive use, not only the territories then held by us, but also those that might fall to our share as the conquest of our arms, and the achieve-

ments of our diplomacy. Hence they succeeded in excluding slavery from Oregon, and also endeavored to make slavery exclusion from all the territories the condition of supplies for carrying on the wnr. The exclusion from Oregon was acquiesced in under protest, because the South believed from the geographical position of the country, and the character of the climate, there was nothing practical in the question.

This was a conciliatory but mistaken policy. It was not the policy that determined the action of our fathers under similar circumstances. The tax upon tea was not oppressive—they would have felt little inconvenience in paying it, but it was tribute exacted by a government in which they had no voice. And rather than submit to the imputation its payment would have implied, they flew to their arms and vindicated their rights at the expense of their blood and treasure. But concessions did not satisfy their cupidity—their appetite grew on what it fed—and they pursued the same policy in reference to the remaining territory. They only failed in the application of their means—to succeed in effecting their ends by expedients, if not so bold and offensive, almost, if not quite as effective. Through the agency of a horde attracted to the Pacific shores, from every clime and country, of every complexion and tongue, in violation of the laws of the land, they seized upon the mineral treasures of California, in assembling themselves in Convention at the invitation of a military officer, a servant of the general government, formed a Constitution by which your labor was excluded from employment in the richest mines of the earth; and as a reward for their disobedience and contempt of right, and in defiance of law, presented themselves and boldly demanded admission into the Union upon terms of equality with the other States; and but for their avowed determination to apply a like fraudulent and violent process to the remainder of the territory obtained by the treaty of Goudaloupe Hidalgo, it is to be greatly feared that the government would have complied with this demand. But the South having suffered from the active operations of "the underground railroads" in spiriting away her slaves, desired a more effectual remedy for the return of these fugitives, and in a spirit of devo-

tion to the Union, for which she had made heavy sacrifices, not only gave up her rights in California, but also consented to the abolition of the slave traffic in the District of Columbia, and appropriated $10,000,000 from the common treasury to purchase, for Northern settlement, 40,000 square miles of territory from Texas, which by the terms of the resolutions of annexation, had been solemnly devoted to our use. She got only in return a fugitive slave law, which has never been observed and enforced as it should have been, but which has been trampled under foot by Northern mobs, and nullified by Northern courts, executives and legislatures. Our citizens, in pursuit of their rights under that law, have been murdered in cold blood, or been subjected to degrading confinement and association in penitentiaries with the vagabonds and felons that fill those prisons. It is also said that we obtained a recognition of the doctrine of non-intervention in the territorial governments then formed. This, however, in the opinion of many of our ablest statesmen and constitutional lawyers, is doubtful.

In this compromise, the South, for the sake of peace, and in the hope of allaying agitation, again acquiesced. Georgia, with others of her Southern sisters did so reluctantly, and only upon conditions which, at the time, met the unqualified approval and warm applause of all people, both at the North and South, who now claim to be conservative. Georgia's people, in Convention assembled, resolved that they would "resist even as a last resort to the disruption of every tie that bound them to the Union" any attempt to impair or abolish the right of property in Slaves in the District of Columbia, and other places over which the federal government had exclusive jurisdiction; the rejection of any State applying for admission into the Union, because of the recognition of slavery in her constitution; any interference with the slave trade between the States, and any failure to execute faithfully the fugitive slave law; and for a time we were encouraged with the belief that these conditions would be observed.

The legislation of 1854 repudiated the Missouri restriction as incompatible with the territorial legislation of 1850, and as being in conflict with the Constitution, and opened

the territories to our admission with our property. This indicated a returning sense of justice upon the part of our northern confederates, and was the harbinger of better times. But these hopeful signs were soon dissipated. What should have allayed only increased excitement, and the storm at the north broke forth with ten-fold fury. The pulpit thundered its anathemas—the press teemed with denunciations—the lecture and school room swelled the chorus of bitter invective and hate—the vengeance of God was invoked by those who should have been the ministers of peace upon the heads of our Congressmen—while Senators and Representatives had their way from Washington to their homes illuminated by the flames of their burning effigies—the votaries of every exploded political theory and every dangerous experiment in government or society, however widely they differed as to their own conflicting tenents, struck hands here and entered upon a crusade against our rights. Under the sanction of Northern legislatures Northern capital was concentrated, and the sweepings of Northern cities, aided and augmented by men of depraved mortals and desperate habits, were gathered together and marched in bands to possess themselves of territory devoted to the common use and drive out our Southern settlers. They laid waste the lovely plains of Kansas, and the whole territory presented a scene of assassination, murder and pillage. No life, however blameless, no innocence however helpless—no age, however venerable—no virtue, however illustrious, availed to stay this tide of carnage and violence; and when these brutal and inhuman acts provoked a just vengeance, the whole country rang with the cry of Southern atrocity and lawlessness. An appeal was made to put down what was styled "the barbarism of slavery," and "the sacred animosity" of the North was thoroughly aroused. A party composed of this material assembled in Convention and adopted a platform which lowered slaveholders to a level with those sunk in the grossest vices, and addicted to the basest immoralities, and placing upon it as their standard bearer a mere political adventurer, boldly entered the contest for the possession of the government. It was only after a most unparalleled struggle that two of your most prominent and ex-

perienced statesmen were saved from a disastrous defeat, and the government rescued for a time from the fearful vortex threatening its destruction. This result did not discourage these forces—it did not even break their ranks—they returned to the charge, animated by fresh courage. They were assured of a strength of which they had not before been conscious.

An irrepressible conflict between free and slave labor was proclaimed—a law higher than the constitution, and more sacred than the teachings of holy writ was discovered. Predatory bands were marched into peaceful communities to excite insurrection—apply the midnight torch—rob and murder—to destroy the means of subsistence—to poison the wells—to alarm our sleep—to render life a burthen, by making it insecure, and when the desperadoes were arrested and punished, they were elevated to the honors of martyrdom; all the restraints of religion were cast aside, and the crucifixion of the Savior of mankind blasphemed by impiously comparing with it the execution of a cut throat and a thief. Those conspirators who made good their escape, found asylum and protection from Northern executives, who, in violation of their oaths, refused to surrender them on demand.

Among a people not dead to all sense of virtue and decency, such a party could not prevail. But their strength lay in their vices; they assembled themselves in conclave; proclaimed the social and political equality of the black and white races; assumed superiority over you by putting you and your property under the ban; brought out their leader; met you face to face in battle array, and in the contest were victorous—thus sanctioning and sustaining, by both a popular and electoral majority of the Northern vote, these enormities, with certain assurances that they will be prosecuted in the future with increased aggravation.

Are such wrongs to be endured? Our people have answered in the negative with one voice. They were all for resistance in some form. They only differed as to the mode and measure of redress, and the time of its application. A majority of them dispaired of repressing this conflict in the Union, and were therefore prepared to

"repel it" out of the Union. To the minority, the voice of the State was as the voice of God; they yielded a graceful and ready obedience to the sovereign will, and gave their pledge (which I doubt not they will nobly and promptly redeem) to defend their homes, and all a freeman can hold dear with their "lives and fortunes." In this measure we did not act hastily—our forbearance had been long—our endurance great. In 1850 we solemnly warned our northern confederates of the consequences of another aggression upon our rights. This warning they treated as the idle wind which they regarded not, and by their action precipitated a contingency upon the happening of which our honor pledged us to resist. But even under these circumstances we made a last appeal to them to acknowledge our rights and guarantee us the protection for which we had stipulated in the bond of our Union. This was spurned, and we had recourse to our reserved rights for our future safety and protection. In resuming these powers, while we hoped to have peace, and coveted no armed conflict with any of our late confederates, yet, if they so will it, we are prepared to meet and repel it. The mode and measure of redress adopted by us, we respectfully maintain is neither revolutionary or treasonable, but constitutional, regular, lawful;—and should therefore be peaceable. We know the law abiding disposition of your people—we understand and trust, habitually cherish with you a loyal submission and dignified obedience to rightful authority—but only to rightful authority; for men who will not defend their rights and repel aggressions, will never render justice to others, or make faithful citizens themselves. Knowing this, we will briefly present the ground and reasons that sanction the remedy adopted.

Prior to the Revolution, the Colonies were separate and independent communities, bound together by no political tie; as such they commenced the Revolutionary war—they declared their independence, being careful in the declaration to reserve to themselves all the rights, privileges and powers that pertain to free and independent States. As free and independent communities they subscribed and adopted the articles of Confederation under which all their external intercourse was regulated during that period. At

the close of that conflict, the Government with which we had lately been at war, by the treaty of peace recognized the freedom, independence and sovereignty of each of these States. The Congress of the Old Confederation passed a resolution requesting the States to send delegates to Philadelphia for the "sole and express purpose of revising the articles of confederation."

They did not intend that that league should be superseded by an entirely new and different form of government, and the States acted in sending their delegates with the same purposes and views as is apparent from the tenor and effect of their commissions. In the Convention various schemes of government were proposed, prominent among these was that offered by Edmund Randolph of Virginia, which sought among other things to invest Congress with power *"to negative all laws passed by the several States, contravening, in the opinion of the National Legislature, the articles of Union, or any treaty subsisting under the authority of the Union, to call forth the force of the Union against any member of the Union failing to fulfill its duties under the articles thereof."* The unanimous rejection of this proposition establishes that the Government about to be formed was not a NATIONAL OR CONSOLIDATED GOVERNMENT—that the Legislatures of the States were not to be subject to the control of the Federal Legislature, and that no State failing in the opinion of the Congress to discharge its duty to the General Government was liable to *coercion*.

The constitution, being perfected by the convention, was reported to the Federal Congress, to be by that body submitted to the several States for their ratification. In the letter of the President of the Convention, transmitting its labors, the Government proposed to be formed is styled in one place, the "GENERAL GOVERNMENT OF THE UNION," and in another the "FEDERAL GOVERNMENT OF THE STATES." But, notwithstanding these careful and guarded designations of its character, emanating from one incapable of deception or falsehood, who had just successfully established a claim to the veneration and respect of the world and the gratitude of his countrymen, the fears of many of the ablest and most patriotic in the State Conventions were aroused, lest the scheme might destroy the

sovereignty and swallow up the rights of the States. In reply to an expresssion of such fears in the New York Convention, Gen. Alex. Hamilton, than whom no leader of the party advocating a strong government is entitled to be held in higher esteem, for his learning and ability, candor and boldness, said: "It has been well observed, that to coerce the States is one of the maddest projects that was ever devised. A failure of compliance will never be confined to a single State. This being the case, can you suppose it wise to hazzard a civil war? Suppose Massachusetts, or any large State, should refuse, and Congress should attempt to compel them, would they not have influence to procure assistance, especially from those States in the same situation as themselves? What picture does this idea present to our view? A complying State at war with a non-complying State; Congress marching the troops of one State into the bosom of another; this State collecting auxiliaries, and forming a majority against its federal head. Here is a nation at war with itself.

"Can any reasonable man be well-disposed towards a government that makes war and carnage the only means of supporting itself—a government that can exist only by the sword? Every such war must involve the innocent with the guilty. This single consideration should be sufficient to dispose every peaceable citizen against such a government. But can we believe that one State will ever suffer itself to be used as a means of coercion. The thing is a dream, it is impossible." The constitution was ratified by New York, but upon the express condition that her people reserved the right of resuming the powers delegated whenever their happiness should require it. Virginia accompanied her ratification with a similar condition; and after all the other States had ratified the constitution, Rhode Island acceded to the Union and completed the galaxy, upon the very terms on which the ratification of New York was accepted. If the government was a consolidation, these reservations were impossible. The men who framed the constitution and put the government into operation regarded them as an indication of over-caution, because the very right reserved would necessarily result from the nature of the compact. They meant to enable these three States to

retain no right or privilege which the others had not. This at once would have destroyed the equality of the States, and sapped the very foundations of the government; so that we may conclude that these conditions were accepted in good faith by each and all the States, and the rights reserved by one enured equally to each and all. But notwithstanding these indisputable facts in our history, a portion of the party in the Convention who wished a stronger government endeavored to accomplish, by indirection, what they had failed to secure by the use of open means; and soon after the government went into operation, they sought to enlarge its powers by a latitudinarian construction. They appealed to all the departments of the government, and were successful in having their interpretation adopted by the legislative and judicial departments. The first apportionment bill which treated the population of the States as a consolidated mass fell under the Executive veto of General Washington. The next effort at coercion was made by Mr. Edmund Randolph, then Attorney General of the United States, who selected Georgia as his victim, and sought to dwarf her sovereignty by dragging her for judgment to the foot stool of the federal judiciary. She scorned the attempt—refused by any act of hers to recognize the supremacy of a jurisdiction she had aided in creating. None could be superior to sovereign power. She put in no appearance, and was represented by no council—judgment was awarded against her, but no attempt was made to enforce it. One on that bench, like Abdriel, "stood faithful among the faithless," and rising in proud supremacy of intellect, in deep learning and comprehensive statesmanship above his compeers, James Iredell, of North Carolina, in a dissenting opinion which will live as long as the principles of rational freedom have admirers, rescued our liberties from their imminent peril. He alarmed the fears of the people, and they made haste to provide new safeguards. Thanks to him, an amendment to the constitution was adopted, which, properly understood and faithfully carried out, would have forever afterwards effectually protected the States from similar assaults upon their power and dignity. In no subsequent attempt which has been made has the General Government ever succeeded in executing process against a

State where resistance has been offered. The framers of the constitution were wise and sagacious men, and would not have omitted to provide a remedy for the enforcement of a right clearly and "expressly delegated," or "necessary and proper" to carry it into effect. The absence of the remedy is conclusive against the existence of the right; and yet those States who have provided for their safety, and have put their household in order, are threatened with invasion! Will you submit to have Federal troops march through your State to subjugate those who are only asserting and maintaining the sacred right of self defence? [Loud cries, Never, never.] No, never, that is the word; never will I believe it until I see it—so help me GOD!! This

> —— "is no more your country; but an impious
> Crew of men, conspiring to uphold their State
> By worse than hostile deeds—defeating the ends
> For which your country was a name so dear;"

and you are asked to contribute to the degradation and ruin of those who are bone of your bone and flesh of our flesh. You cannot and you will not forget the "noble deeds of daring high" of a common ancestry, whose blood enriches and hallows every battle-field from Germantown to New Orleans. But it has been said that we should wait! Our rights will be conceded to us in the Union—we can procure further guaranties by constitutional amendment. The expectation is vain—time after time, an acknowledgment of your rights has been refused. There is no fault to be found with the old constitution—that was amply sufficient, if faithfully observed, for every emergency! No more sacred or binding obligations can be devised than those therein contained—but the cry is still wait? Yes, wait until the torch which is applied to your dwelling shall wrap it in flames! Wait until the assassin has discharged the fatal contents of the deadly blunderbuss now leveled at your breast—wait until life is extinct and resistance vain! While I appreciate the motives and admire the talents of those now engaged in a patriotic endeavor to reconstruct the old Government, I must be pardoned for expressing the belief that their "*Conference*" will end in nothing—the people with whom they have to deal have deceived us repeatedly.

"That was their fault." We thank God we are now free from them, and if ever they deceive us again, it will be our fault." Our people have no doubt they may grant all that is asked by the border slave States? But how will they keep their plighted faith? We can only judge of the future by the past, and our experience warns us against another connection. You would have to re-educate them, to reform their morals and change their very nature before we could give them our confidence. Our separation is final and irrevocable.

This night you have to choose between a Northen alliance and a union with the new-born republic—THE CONFEDERATE STATES OF AMERICA. You may not come immediately, but eventually, and I trust at no distant day you will be with us. Appeals have been made to your fears—you have been urged to resist this natural and homogenious alliance for the reason that it was the design of the Cotton States to re-open the foreign slave trade. Since 1798 the Constitution of Georgia has prohibited this traffic, not because we believed it immoral or unjust, but beeause we doubted its influence upon our material interests. No considerable portion of our people have ever favored the policy of reviving it, while many of them have been opposed to the federal legislation upon that subject, for the reason that they regarded it as the exercise of powers not delegated, and because of the stupidly cruel and severe penalties inflicted upon an act not intrinsically wrong, but only rendered so by politic considerations. Desiring to assure you of our entire sincerity in relation to the matter, our Convention instructed our delegates to the Southern Congress to have this prohibition inserted in the constitution for the new Confederacy. This, I am happy to say, as you already know, has been done. In this great movement we prefer the cordial co-operation of the border slave States to the doubtful profits of this commerce for all coming time. Go on, and continue to raise the supply of labor, and we will provide for our wants in your market. We could have influenced your action by prohibiting the introduction of your slaves into our midst. We could have increased them in your borders by this restrictive policy, until they would have become worse than valueless to you. We were unwil-

ling to constrain the action of a free people, We were averse to inflicting loss and injury upon those who had never shown us aught but kindness. We would imply no doubt by our course, of the fidelity and patriotism of our brethren. All your material interests must be promoted by your speedy union with us in the new government. The princely treasures which have hitherto been lavished with a generous hand upon ungrateful New England, will be poured into your lap. Your unappropriated water-falls will resound with the hum, and be made glad with the songs of laborers. The music of the shuttle and the loom will cheer the spirits and augment the comfort of your increased and increasing population. The idle will be employed, and the unproductive become a valuable and productive citizen. Diversity of pursuits will bring increased skill and production, and along with them greater splendor and power. Your undeveloped mineral resources will be brought to light,and your uninhabited mountain slopes filled with a hardy and industrious people, will smoke with forges, and blaze with furnaces. The borders of Canada will then be more remote from you than at present, and there will be fewer facilities for the escape of your slaves. But for the unnatural opposition of those who should have been our friends, we could have obtained treaties of extradition from all the governments with whom we held intercourse. Upon the part of any foreign government the practices of the Northern people in reference to our slave property, would have been causes of war, and no foreign government has ever ventured to tamper with or invade our rights.

We have only been restrained by Constitutional obligations from making speedy and effective reprisals upon those who violated the bargain and thereby released us from its obligations. Thank Heaven, we are foreigners to them now, and when you place yourselves in our situation, they will respect your rights. They have never been known to engage in war, unless it would put money in their purses, and are not going to brave its hazzards to wrest from you a piece of property which they cannot use to advantage, but which, under their institutions, becomes a curse and a nuisance. They cannot blockade our ports and cut off our trade. We have that upon which the

stability of every throne in Europe rests, and upon which their own prosperity depends. Free trade as to the rest of the world, and restrictions upon their intercourse would soon compel them to restore and to keep the peace. We then earnestly exhort you to join us in the accomplishment of the most glorious destiny that ever awaited a people. With nothing of inconvenience but temporary embarrassment, the not distant future is radiant with prosperity and renown. Glory awaits us—power and freedom are within our grasp. When we go hence our children will never reproach us—but far in the distant future the happiness will be theirs to look around upon a land smiling with plenty, and upon a people united and happy.

"Zealous, yet modest—innocent, tho' free—
Patient of toil—serene amidst alarms—
Inflexible in faith—invincible in arms."

[*Report of Dr. W. C. Daniell, Commissioner from Georgia to Kentucky.*]

DECATUR, February 25th, 1861.

The Hon. G. W. Crawford, President, &c., Bel Air.

SIR: The original Commission, duly issued by you having been miscarried, I received a duplicate on the 7th inst. In the meantime I had seen a statement that the Legislature of Kentucky, to which I was accredited, would adjourn on the 6th inst. When I received your commission the State Rail Road, over which I must go to Keutucky, was, owing to extreme damage caused by recent heavy rains, impassable. I left home on the 13th inst., and reached Frankfort, Kentucky, on the 15th inst. I learned that the Legislature did not adjourn until the 11th inst. No Convention having been called, in the absence of the Legislature, I addressed myself to the Governor of Kentucky. Having given me a frank and cordial reception, he expressed much regret that I had not arrived in time to make known my mission to the Legislature, as he thought it probable that I might have prevailed to induce the convocation of a State Convention. Referring his Excellency to the recent vote in Tennessee,

through which I had just passed, I suggested that perhaps much had been gained to the cause of the South by the necessary postponement of that question in his State until the meeting of the Legislature, as by that time perhaps those who had been sent to Washington by the border slave States would probably learn that the elements of security, if not of peace, were to be found within and not without their own borders. The more recent action of Missouri and Arkansas has not tended to impair my confidence in this suggestion. His Excellency informed me that he would make known to the Legislature, when reassembled on the 20th of March next, my mission and its purpose. I remained in the seat of government, Frankfort, four days, during which I was admitted to free intercommunications with Gov. Magoffin, and he has placed me under acknowledgements for many courtesies and civilities during my sojourn at Frankfort.

I reached this on my return from Kentucky on the 23rd inst.

I have the honor to be, very respectfully,

your very ob't. serv't.,

W. C. DANIELL.

[*Report of W. J. Vason, Commissioner from Georgia to Louisiana.*]

SANANNAH, 15th March, 1861.

SIR: Concerning my mission as a Commissioner from the State of Georgia in Convention assembled, to the State of Louisiana in Convention assembled, I have the honor to Report, that starting on my mission from Milledgeville the morning after my election as a Commissioner, and traveling the most speedy and practicable route to Baton Rouge, the Capital of the State of Louisiana, I arrived in the city of New Orleans on the 29th of January, 1861. There I learned that the Convention of the State of Louisiana, which assembled in Baton Rouge on the 23rd of January, after a session of four days, had adopted an Ordinance to dissolve the Union between the State of Louisiana and the other States united with her under a compact entitled "the Con-

stitution of the United States," and adjourned from that place to reassemble on the 29th day of that month, in the city of New Orleans.

On that day the Convention resumed its sessions in that city; and I had an interview with a committee of that body, appointed to receive Commissioners from other States; at which it was arranged that I should be introduced and make known the objects of my mission to the Convention on the following day. Accordingly, the committee, the next day, personally introduced me to the Convention, and I am pleased to declare that I was received with great cordiality, and with the respect and consideration due to the State which I had the honor to represent.

After an interchange of salutations, the President of the Convention very respectfully invited me to address that body upon the objects of my mission.

That duty I performed by exhibiting my Commission, which accredited me as a Commissioner from this to that Convention, and laying before that, the Ordinance of Secession adopted by this Convention. I then briefly stated what this Convention had done—defined the position which the State of Georgia had assumed as an independent sovereignty in the family of nations—invited the State of Louisiana to co-operate with her, and all the seceding States, to form a Southern Confederacy upon the principles of the Constitution of the United States, and presented such reasons to the consideration of the Convention, as appeared to me pertinent and persuasive to that end.

The address was respectfully listened to—and was received apparently favorably, by the Convention.

The President of the Convention, the day after my reception handed me duly certified copies of "An Ordinance to dissolve the Union between the State of Louisiana and other States," &c., &c., of "An Ordinance to provide for the appointment of Delegates to form a Southern Confederacy," &c., &c., and of "a resolution in reference to the navigation of the Mississippi river," with a request that I should present them to this Convention as evidence of the disposition and intention of the State of Louisiana to co-

operate with Georgia and the other seceding States in the formation of a Southern Confederacy.

Those documents I have the honor now to present herewith to this Convention.

It is my duty, and with pleasure I discharge it, to declare to this Convention, that I found the Convention of the State of Louisiana in perfect accord in feeling and sentiment with the State of Georgia as to the objects of my mission, and that I was received and treated with the kindest and most respectful consideration by the enlightened and patriotic Convention of that noble and chivalrous State.

In conclusion I tender to this Convention my sincere thanks for the honor which it has conferred upon me, and express the hope that the manner in which I have discharged the delicate and responsible trust confided in me will meet the approbation of this Honorable Convention.

All of which is respectfully submitted by

Your obliged fellow-citizen,

WM. J. VASON.

Hon. GEO. W. CRAWFORD,
President of the Convention of Georgia.

[*Report of H. P. Bell, Esq.. Commissioner from Georgia to Tennessee.*]

Mr. President and gentlemen of the Convention:

I herewith report to you the result of my mission to the State of Tennessee.

In discharging the duties imposed upon me by the commission, I visited Nashville, the Capital, on the 9th of February last, having been detained a week on the way by injuries to the Rail Road, and found that the Legislature, which had been convened by the Executive in extra session had adjourned on the fourth.

The act of the Legislature, calling the Convention, provided that the question of "Convention" or "No Convention" should be submitted to the popular vote at the ballot

box. The result of that vote was a majority of ten thousand against having a Convention. The only means, therefore, of official communication with the people of Tennessee left me, was with the Governor, to whom I presented the ordinance of secession, and the resolution inviting the co-operation of Tennessee, together with the other border slave States, with the seceding States in the formation of a Southern Confederacy.

I was kindly received by His Excellency Gov. Harris, who deeply deplored the result of the election in Tennessee, and warmly endorsed the action of Georgia in dissolving her connection with the Federal government. He expressed the opinion, that the withdrawal of Tennessee from the government of the United States, and its Union with the Confederate States of America was only a question of time, and in this opinion other distinguished citizens, and among them Gov. Henry S. Foote, who boldly vindicates the cause of the South, concurred. The election was not regarded as indicating anything more than the desire which was felt, and the hope that was cherished by the Union party, that the border State Convention then in session at Washington would adopt some plan of adjustment, of the pending difficulty, not only satisfactory to the border States, but to the entire South. For the opinion was entertained by many, that the Southern States had seceded with the view of reconstructing the government, and the obtainment of the constitutional rights and guarantees upon which they insisted, in such reconstruction. I corrected this mistake as far as circumstances enabled me to do so, and announced that the separation was final and irrevocable, and that whatever line of policy Tennessee might adopt in the future, this fact is to be regarded as settled. I announced also, that the people of Georgia was a unit in maintaining the action of this Convention in the adoption of the Ordinance of secession. I assured those with whom I communicated that it was a great mistake to suppose that the action of Georgia was the result of a reckless popular impulse, but that it was the high resolve of patriots, determined to die freemen rather than live slaves. These assurances, together with fact that the

Southern States have repudiated the re-opening of the African slave trade, and indicated the policy of raising revenue by duties on imposts, and not by direct taxation gave our friends great confidence in the success of the movement, and had a conciliatory influence upon those hostile to it.

The opinion prevailed almost universily, at the time I left Nashville, that the action of Tennessee would be determined by the action of the border State Convention, and of the Convention of Virginia. My own opinion is, that Tennessee will be governed by Virginia upon this subject, and that perhaps all the border slave States, will be controlled by the same influence. Some, however, of our more sanguine friends, entertain the opinion that the next election, which will take place in August next, will settle the question in Tennessee in favor of the South. Upon the whole, my judgment is, that when the people of that State realizes fully the fact that they are reduced to the alternative of taking the chances of subjection to the domination of relentless republicanism, or the enjoyment of equality and independence with a great people with whom they are identified in interest, institutions and destiny, they will not hesitate to pursue that course, dictated alike by honor and patriotism, and determine to unite their fortunes and destiny with those of the Confederate States.

H. P. BELL.

Savannah, March 20, 1861.

CONVENTION OF THE CONFEDERATE STATES OF AMERICA.
Montgomery, Alabama, March 12th, 1861.

HON. GEO. W. CRAWFORD,
Savannah, Ga :

SIR :—

I herewith transmit to you a certified copy of the Constitution of the Confederate States of America, as it was finally adopted by the unanimous vote of the Convention ; to be placed before the State Convention over which you preside, for its approval and ratification.

It will be seen that the Convention here have conformed to the general wish of the people of these States, in adopting a Constitution upon the general principles of the Constitution of the United States. The departures from the provisions of that instrument have been suggested by the experience of the past, and are intended to guard against the evils and dangers which led to the dissolution of the late Union.

This Constitution is now submitted, with confidence, to the State Conventions for their action.

Respectfully,
HOWELL COBB,
President of the Convention C. S. A.

ORDINANCES.

AN ORDINANCE

To dissolve the Union between the State of Georgia and other States united with her under a compact of Government entitled "the Constitution of the United States of America."

We, the people of the State of Georgia, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,

That the ordinance adopted by the people of the State of Georgia in Convention, on the second day of January, in the year of our Lord seventeen hundred and eighty-eight, whereby the Constitution of the United States of America was assented to, ratified and adopted; and also all acts and parts of acts of the General Assembly of this State ratifying and adopting amendments of the said Constitution, are hereby repealed, rescinded and abrogated.

We do further declare and ordain, That the Union now subsisting between the State of Georgia and other States, under the name of the "United States of America," is hereby dissolved, and that the State of Georgia is in the full possession and exercise of all those rights of sovereignty which belong and appertain to a free and independent State.

GEORGE W. CRAWFORD, *President.*

Attest: A. R. Lamar, *Secretary.*

Passed January 19, 1861.

AN ORDINANCE

To provide for the execution of sentences passed by the Courts of the United States, within the limits of the State of Georgia, and for the execution of process issued by the same Courts, and to preserve indictments.

The people of Georgia, through their delegates in Convention assembled, do hereby declare and ordain,

That all persons now confined in the Penitentiary of this State, under sentence upon conviction for crime by any Court of the late United States for the District of Georgia, shall continue in such imprisonment until the full execution of such sentences shall have been accomplished, in the same manner as if the ordinance of secession had not been passed.

And it is further declared and ordained by the authority aforesaid, That all persons now arrested or confined in the jails of this State, under process from the said Courts of the late United States, shall not be released or discharged by reason of said ordinance, but shall continue under the said arrest or imprisonment until discharged by due process of law. And all persons who shall have heretofore given bail to answer to any warrant or other process from said Courts, shall not be released from the obligation of such bonds, but shall be (with their sureties) bound to appear and answer to such Courts of this State as may be directed by this Convention.

And be it further declared and ordained, That all indictments heretofore found true in the said Courts, and not hitherto disposed of, shall continue in full force and virtue until heard and determined by the Courts to which jurisdiction thereof may be transferred. And all process or warrant or other criminal proceeding issuing out of or returnable to the said Courts, shall lose no virtue by reason of the said act of secession, but shall be returnable to and executed in the name of the Court to which jurisdiction may be given by this Convention.

GEO. W. CRAWFORD, *President.*

Attest: A. R. LAMAR, *Secretary.*

Passed 22d January, 1861.

AN ORDINANCE

To declare and continue in force in this State sundry laws of the late United States of America in reference to the African Slave Trade.

The people of Georgia in Convention assembled do hereby declare and ordain,

That all the laws passed by the Congress of the late United States of America and in force in this State prior to the 19th day of January, 1861, in reference to the African Slave Trade, except the fifth section of the act of 10th May, 1800, and also so much of the act of 15th May, 1820, as declares the offences therein specified to be piracy, and in lieu of the penalty of death therein specified, there shall be substituted imprisonment in the Penitentiary for a term of years not less than five nor exceeding twenty, in the discretion of the Court; be and the same are hereby declared to be in full force in this State: *Provided*, the same shall not be construed to extend to the importation of negro slaves from any one of the Slaveholding States of the late United States of America, or from either of the independent Republics of South Carolina, Alabama, Florida or Mississippi: *Provided further*, the slaves so introduced from the Slaveholding States of North America shall not have been imported from beyond seas into such State, since the 20th day of December, 1860.

Be it further ordained and declared, That the Governor of Georgia shall discharge all the duties required by said laws of the President of the United States, and the Attorney or Solicitor General of the Judicial District where the case arises, shall discharge all the duties required of the District Attorney, and the Sheriff of the county all the duties required of the Marshal.

Be it further ordained, That the State of Georgia shall be substituted for the United States in every portion of the said laws, where the substitution is required by the present independent condition of said State.

GEO. W. CRAWFORD, *President.*

Attest: A. R. LAMAR, *Secretary.*

Passed 23d January, 1861,

AN ORDINANCE

To provide for the public defence.

Be it ordained by the people of the State of Georgia, in Convention assembled,

That the Governor of this State is hereby authorized to raise and equip a regular military force, and to employ the same in such defensive service as the public security in this or neighboring States may demand.

Such regular force shall not exceed two regiments of Infantry and Light Infantry and Artillery, in such proportion as the Governor may direct.

The Governor as Commander-in-Chief, shall appoint and commission the necessary officers for these forces, selecting as far as practicable, officers of the United States Army, who may have entered the service of this State, according to their relative rank, and all such commissions may be revoked, whenever a Government shall be established by the Southern States to which Georgia shall accede. The officers and enlisted men, raised by this ordinance, shall receive the same pay and emoluments, as are provided for similar service by the laws of the United States.

And be it further ordained, That for the regulation of all military matters, not otherwise provided for by the laws of this State, the "Articles of War," and the Army regulations, declared and established by the United States Government, as lately existing, are hereby adopted, as far as applicable to the present condition of this State.

GEO. W. CRAWFORD,
President of the Convention.

Attest: A. R. LAMAR, *Secretray.*

Passed 25th January, 1861.

AN ORDINANCE

To make Provisional Postal Arrangements in Georgia.

Whereas, It is desirable that there should be no disturbance in the present postal arrangements in this and other States.

Therefore be it ordained, and it is hereby ordained and declared by the people of Georgia, in Convention assembled,

That the existing postal contracts and arrangements shall be allowed to continue, and the persons charged with the duties thereof, shall continue to discharge said duties until a postal treaty shall be concluded, or until otherwise directed.

Be it further ordained by the authority aforesaid, That in case the Government of the United States, or its officers or agents shall fail or refuse to execute said contracts, or carry on said arrangements, it shall be the duty of the Governor of this State to make all contracts, appoint all officers, and do all other things which may be necessary to keep up sufficient mail facilities to meet the wants of the people of Georgia, until otherwise ordered by the proper authorities.

GEO. W. CRAWFORD, *President.*

Attest: A. R. LAMAR, *Secretary.*

Passed 25th January, 1861.

AN ORDINANCE

In relation to the inter-State Slave Trade.

Be it ordained by the people of Georgia in Convention assembled, and it is hereby ordained by the authority of the same,

That all the laws relating to the inter-State Slave Trade which were in force at the time of the passage of the Ordinance of Secession shall be deemed and held to be still in force.

GEO. W. CRAWFORD, *President.*

Attest: A. R. LAMAR. *Secretary.*

Passed 24th, January, 1861.

AN ORDINANCE

To resume jurisdiction over those places within the limits of Georgia, over which jurisdiction has been heretofore ceded to the late United States of America, and to provide for compensation to the said United States for the improvements erected thereon.

The people of Georgia in Convention assembled do hereby declare and ordain,

That the cessions heretofore made by the General Assembly of this State, granting jurisdiction to the late United States of America, over specified portions of the Territory within the present limits of the State of Georgia, be, and the same are hereby revoked and withdrawn, and the full jurisdiction and sovereignty over the same are hereby resumed by said State.

Be it further ordained, That the buildings, machinery, fortifications, or other improvements erected on the land so heretofore ceded to the said United States, or other property found therein belonging the United States, shall be held by this State, subject to be accounted for in any future adjustment of the claims between this State and the said United States.

GEO. W. CRAWFORD, *President.*

Attest: A. R. LAMAR, *Secretary.*

Passed 25th, January, 1861.

AN ORDINANCE

In relation to Oaths heretofore required of Public Officers and Attorneys at Law.

The people of Georgia, in Convention assembled, declare and ordain,

That the oath heretofore required to be administered to Public Officers and Attorneys and Solicitors at Law, to support the Constitution of the United States, shall be hereafter discontinued.

GEO. W. CRAWFORD, *President.*

Attest: A. R. LAMAR, *Secretary.*

Passed 25th January, 1861.

AN ORDINANCE

Concerning Officers of the Army and Navy.

WHEREAS, Certain officers of the army and navy of the United States, citizens of the State of Georgia, impelled by patriotic motives, have already resigned their appointments and tendered their services to the State; and whereas, others may desire to make the same tender.

Be it Ordained, by the People of Georgia, in Convention assembled,

That all such officers who have resigned for the purposes aforesaid, or have made such offer, and all those on the active list who may resign and make such tender of service within such time as circumstances may admit, shall be received into the service of the State, and shall be appointed and commissioned by the Governor to the same relative rank in the army and navy of Georgia, which they held under the Government of the United States, and shall receive the same pay from their entrance into service as they were entitled to at the time of their resignations.

Provided, That the Governor of this State shall employ such officers in the service to which they may be respectively attached, in such manner as, in his judgment, the public exigencies may require.

GEO. W. CRAWFORD,

President of the Convention.

Attest: A. R. LAMAR, Secretary.

Passed January 25th, 1861.

AN ORDINANCE

Concerning Citizenship.

We, the People of the State of Georgia, in Convention assembled, do declare and Ordain, and it is hereby declared and Ordained,

1st, Every person who, at the date of the Ordinance of the Secession, was residing in this State, and was then

by birth, residence, or naturalization, a citizen of this State, shall continue a citizen of this State, unless a foreign residence shall be established by such person, with the intention of expatriation.

2nd, So also shall continue every free white person who, after the date aforesaid, may be born within the Territory of this State, or may be born outside of that Territory, of a father who then was a citizen of this State.

3rd, So also every person a citizen of any one of the States lately confederated under the name of the United States of America, who, within twelve months after the date of the Ordinance of Secession, shall come to reside in this State, with the intention of remaining, upon such person's taking the oath of allegiance to this State, below provided.

4th, So also every free white person who shall be engaged in the actual service, Military or Naval, of the State, and shall take an oath of his intention to continue in such service for at least three months, unless sooner discharged honorably, and also the oath of allegiance below prescribed. In this case, the oaths shall be administered by some Commissioned officer of the service in which the applicant for citizenship may be engaged, superior in rank to the applicant, and thereupon certificate of the citizenship of the applicant shall be signed by the officer and delivered to the applicant.

5th, So also, every person not a citizen of any of the States above mentioned, at the date aforesaid, who may come to reside in this State, with the intention of remaining, and may be naturalized according to the naturalization laws of this State ; until they may be altered or repealed. the naturalization laws of the United States accommodated to the special condition of the State, are hereby made the laws of this State ; except that instead of the oaths required by those laws in the final Act, the oath of allegiance to this State, and of adjuration below provided, shall be taken.

6th, In all cases, the citizenship of a man shall extend to his wife present or future, whenever she shall have a residence in this State, and shall extend also to each of his

children, that under the age of eighteen years, may have a residence in the State; *Provided*, That in no case, shall citizenship extend to any person, who is not a free white person.

7th, That the oath of allegiance to this State shall be in the following form, to-wit: "I do swear, (or affirm,) that I will be faithful, and true allegiance bear to the State of Georgia, so long as I may continue a citizen thereof."

8th, The oath of abjuration shall be in the following form, to-wit:

"I do swear, (or affirm,) that I do renounce and forever abjure all allegiance and fidelity to every Prince, Potenate, State or Sovereignty whatsoever, except the State of Georgia."

GEO. W. CRAWFORD, President.

Attest: A. R. LAMAR, Secretary.

Passed 26th January, 1861.

AN ORDINANCE

To adopt and continue in force the laws of the late United States, in the State of Georgia, except as therein excepted.

The People of Georgia, in Convention assembled, do declare and Ordain, as follows:

SECTION 1. That such and so much of the laws of the late United States, as are not inconsistent with the Ordinance of Secession, and the other Ordinances of this Convention, and as are applicable and adapted to our present condition and necessities, be, and the same are hereby adopted and continued in force in this State; saving and excepting, however, the laws on the subjects following, to-wit: "The army, bounty-lands, cadets, census, coasting trade, treason, fisheries, lands, the navy, pensions, printing, public money, timber, treasury department, and the war department.

SECTION 2. That in all cases in which remedies are provided in civil cases, or punishments are prescribed in

criminal cases, both by the laws of the said United States, and by the existing laws of this State, then, and in all such cases, the laws of this State shall take precedence to, and be administered before the said laws of the United States.

GEO. W. CRAWFORD, President.

Attest: A. R. LAMAR, Secretary.

Passed January 26th 1861.

AN ORDINANCE

To define and declare what shall be treason and misprison of treason in the State of Georgia; and also certain felonies.

The people of Georgia in Convention assembled, do hereby declare and ordain, That if any person or person, owing allegiance to the State of Georgia, shall levy war against said State, or shall adhere to her enemies, giving them aid and comfort within the said State or elsewhere; or shall in the name of the late United States of America, or any other foreign power, seize, or attempt to seize and hold possession against the declared will of said State, of any Fort, Arsenal, Mint, or other building within the territorial limits of said State, and shall be thereof convicted on confession in open court, or on the testimony of two witnesses to the same overt act of the treason whereof he or they shall stand indicted, such person or persons shall be adjudged guilty of treason against the State of Georgia and shall suffer death.

A person having knowledge of the commission of any of the treasonable acts aforesaid, and conceals, or fails to disclose the same as soon as may be, to the Governor of said State or some one of the Judges thereof, shall be guilty of misprision of treason, and on conviction, shall be punished by imprisonment and labor in the Penitentiary, not less than five, nor longer than ten years.

Any citizen of the State of Georgia, wherever resident, who shall without the permission of said State, directly or indirectly commence, or carry on any verbal or written correspondence or intercourse with any foreign Government,

or any officer or agent thereof, with any intent to influence the measures or conduct of such Government adversely to the existence or interests of said State in relation to any disputes or controversies with said State, or to defeat the measures of the Government of said State; or if any such person not duly authorized, shall counsel, advise, aid or assist in any such correspondence, such citizen of Georgia shall be guilty of a felony, and on conviction, shall be punished by imprisonment in the Penitentiary, not less than one, nor more than three years, and by a fine not exceeding five thousand dollars.

GEO. W. CRAWFORD, *President.*

Attest: A. R. LAMAR, *Secretary.*

Passed 26th January, 1861.

AN ORDINANCE

To make Provisional Arrangements for the continuance of Commercial facilities in Georgia.

We the people of Georgia, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,

First, That all citizens of the State of Georgia, who on the 19th day of January 1861, were holding office, or who may have resigned, and whose resignation may not have been accepted, connected with the customs under the Government of the late United States, within the limits of this State, be and they are hereby appointed to hold, under the Government of this State, exclusive of any further connection whatever with the Government of the late United States, the same offices they now fill, until otherwise directed, and to receive the same pay and emoluments for their services.

Second, That until this Convention or other Provisional Government shall otherwise provide, the Governor shall appoint to all vacancies which now exist, or may hereafter occur in such offices.

Third, That, until otherwise provided, the revenue, col-

lection and navigation laws, of the late United States, so far as they may be applicable, be, and they are hereby adopted and made the laws of this State, saving that no duties shall be collected upon imports from the States forming the late United States, nor upon the tonnage of vessels owned in whole or in part by the citizens of the said States : *Provided*, if the said late United States should assume an attitude of hostility towards the State of Georgia, then the Governor by his Proclamation, shall put them upon the same footing with all other foreign nations : And saving and excepting the Act of Congress, adopted the 3d day of March, 1817, entitled "An Act authorizing the deposit of papers of foreign vessels with the Consuls of their respective nations," which act is hereby declared to be of no force within the limits of this State.

Fourth, That all vessels built in Georgia or elsewhere, and owned to the amount of one third, by a citizen or citizens of Georgia, or of any of the seceding States from the late United States, and commanded by a citizen thereof and no other, shall be registered as vessels of Georgia, under the authority of the Collector and Naval Officer.

Fifth, That all the official acts of the officers aforesaid in which it is usual and proper to set forth the authority under which they act, or the style of documents issued by them, or any of them, shall be in the name of the State of Georgia.

Sixth, That all moneys hereafter collected by any of the officers aforesaid, shall, after deducting the sums necessary for the compensation of officers, and other expenses incident thereto, be paid into the Treasury of the State of Georgia, subject to the order of this Convention or the General Assembly.

Seventh, That the officers aforesaid, shall retain in their hands all property of the late United States in their possession, custody or control, subject to the disposal of the proper authorities, who will account for the same upon a final settlement with the Government of the late United States.

GEO. W. CRAWFORD, *President.*

Attest: A. R. LAMAR, *Secretary.*

Passed 28th January, 1861.

AN ORDINANCE

To abolish the Circuit and District Courts of the United States, for the District of Georgia, and to establish other Courts in lieu thereof, and to continue in force certain judgments and executions.

The people of Georgia in Convention assembled hereby declare and ordain,

That the Circuit and District Courts of the late United States for the State of Georgia, be, and the same are hereby abolished as Courts of the said United States, and the District Courts of the United States for the Northern and Southern Districts of the State of Georgia, are hereby re-established as Courts of the independent State of Georgia, with the same jurisdiction and powers as they had under the laws of the United States, except so far as the same are modified by the Ordinances of this Convention.

2. The Commissions of all the Judges and officers of said Courts are hereby terminated. And the Governor of this State is hereby authorized to appoint and commission a Judge and other officers of said Courts, to hold their commissions until the further action of this Convention, the said Judge to reside in or near the city of Savannah in this State, and the said Judge shall receive at the rate of twenty-five hundred dollars per annum as his salary.

3. The causes, civil and criminal now pending in the Circuit Court of the late United States for Georgia, are hereby transferred to the District Court now hereby re-established for the Southern District of Georgia, and the said District Court shall have power to hear and determine the same.

4. The causes, civil and criminal, now pending in District Courts of the Northern and Southern Districts of Georgia, are continued without prejudice in the said Courts now hereby established, and the judgments and decrees heretofore rendered therein, and the executions issued thereon shall lose no right, lien or validity by the operation of this Ordinance, or the Ordinance of secession, but shall continue in force as if the Courts remained in existence, and the stay law of the General Assembly of 1860, shall apply to the judgments and proceedings of said Courts.

5. No civil suits in favor of citizens of other States shall

be instituted in said Courts until the further order of this Convention, except cases of Admiralty and Maratime Jurisdiction.

GEO. W. CRAWFORD, *President.*

Attest: A. R. LAMAR, *Secretary.*

Passed 29th January, 1861.

AN ORDINANCE.

In view of the present condition of the country, and the alleged apprehension of Foreign Capitalists as to the security of capital invested in this State,

Be it ordained,

That to encourage the manufacturing and mining, and other permanent improvements of this State, this Convention does hereby declare it to be the fixed policy of Georgia to protect all investments already made, or which may be hereafter made by citizens of other States in mines or manufactures in this State, and capital invested in any other permanent improvement.

GEO. W. CRAWFORD, *President.*

Attest: A. R. LAMAR, *Secretary.*

Passed January 29, 1861.

AN ORDINANCE

In addition to a previous Ordinance of this Convention on the subject of Citizenship.

Be it ordained by the people of Georgia in sovereign Convention assembled,

That all white persons, resident in this State at the time of the secession of the State from the United States, with the *bona fide* intention of making it the place of their permanent abode, shall be considered as citizens of this State without reference to their place of birth; *Provided*, That any person not born in this State can except him or herself from the operation of this Ordinance by a declaration in any Court of Record in the State, within three months from this date, that he, or she, does not wish to be considered a citizen of this State.

GEO. W. CRAWFORD, *President.*

Attest: A. R. LAMAR, *Secretary.*

Passed March 16, 1861.

AN ORDINANCE

To transfer to the provisional government of the Confederate States of America the use and occupancy of the Forts, Arsenals, Navy Yards, Custom Houses, and other public sites within the limits of this State.

The people of Georgia in Convention assembled do ordain,

That the government of the Confederate States of America is hereby authorized to occupy, use, and hold possession of all the Forts, Navy Yards, Arsenals, Custom Houses and other public sites, with their appurtenances, within the limits of this State, and lately in possession of the United States of America; and to repair, rebuild and control the same at its discretion until this ordinance be repealed by a Convention of the people of this State.

GEO. W. CRAWFORD,

President of the Convention.

Attest: A. R. LAMAR, *Secretary.*

Passed March 20, 1861.

AN ORDINANCE

To transfer to the Government of the Confederate States certain arms and munitions of war, and for other purposes.

The people of Georgia in Convention assembled do ordain,

SECTION 1ST. That the control of all military operations in this State having reference to, or connection with, questions between this State, or any of the Confederate States of America, and powers foreign to them, is hereby transferred to the government of the Confederate States of America.

SEC. 2ND. That the State of Georgia hereby transfers to the government of the Confederate States of America, the arms and munitions of war acquired from the United States, with the Forts and Arsenals, and which are *now* in the said Forts and Arsenals.

SEC. 3RD. That the Governor of this State is hereby authorized to transfer to the Government of the Confederate States such arms, munitions of war, armed vessels or steamers belonging to this State, as in his judgment may be expedient, and upon such terms as may be agreed upon, with the said government of the Confederate States.

SEC. 4TH. The transfer herein provided for, shall be conducted on the part of this State by the Governor thereof, the Government of the Confederate States undertaking to account for all such arms and munitions of war as are hereby transferred.

GEO. W. CRAWFORD,

President of the Convention.

Attest: A. R. LAMAR, *Secretary.*

Passed March 20, 1861.

AN ORDINANCE

To organize Senatorial Districts.

The people of Georgia in Convention assembled do hereby declare and ordain,

That the Senatorial Districts of this State shall be organized by counties as follows:

The first District shall consist of the counties of Chatham, Bryan and Effingham.
The second of Liberty, Tatnall and McIntosh.
The third of Wayne, Pierce and Appling.
The fourth of Glynn, Camden and Charlton.
The fifth of Coffee, Ware and Clinch.
The sixth of Echols, Lowndes and Berrien.
The seventh of Brooks, Thomas and Colquitt.
The eighth of Decatur, Mitchell and Miller.
The ninth of Early, Calhoun and Baker.
The tenth of Dougherty, Lee and Worth.
The eleventh of Clay, Randolph and Terrell.
The twelfth of Stewart, Webster and Quitman.
The thirteenth of Sumter, Schley and Macon.
The fourteenth of Dooly, Wilcox and Pulaski.

The fifteenth of Montgomery, Telfair and Irwin.
The sixteenth of Laurens, Johnson and Emanuel.
The seventeenth of Bulloch, Scriven and Burke.
The eighteenth of Richmond, Glasscock and Jefferson.
The nineteenth of Taliaferro, Warren and Greene.
The twentieth of Baldwin, Hancock and Washington.
The twenty-first of Twiggs, Wilkinson and Jones.
The twenty-second of Bibb, Monroe and Pike.
The twenty-third of Houston, Crawford and Taylor.
The twenty-fourth of Marion, Chattahoochee and Muscogee.
The twenty-fifth of Harris, Upson and Talbot.
The twenty-sixth of Spalding, Butts and Fayette.
The twenty-seventh of Newton, Walton and Clarke.
The twenty-eighth of Jasper, Putnam and Morgan.
The twenty-ninth of Wilkes, Lincoln and Columbia.
The thirtieth of Oglethorpe, Madison and Elbert.
The thirty-first of Hart, Franklin and Habersham.
The thirty-second of White, Lumpkin and Dawson.
The thirty-third of Hall, Banks and Jackson.
The thirty-fourth of Gwinnett, DeKalb and Henry.
The thirty-fifth of Clayton, Fulton and Cobb.
The thirty-sixth of Merriwether, Coweta and Campbell.
The thirty-seventh of Troup, Heard and Carroll.
The thirty-eighth of Haralson, Polk and Paulding.
The thirty-ninth of Cherokee, Milton and Forsyth.
The fortieth of Union, Towns and Rabun.
The forty-first of Fannin, Gilmer and Pickens.
The forty-second of Cass, Floyd and Chattooga.
The forty-third of Murray, Whitfield and Gordon.
The forty-fourth of Walker, Dade and Catoosa.

GEO. W. CRAWFORD,

President of the Convention.

Attest: A. R. LAMAR, *Secretary.*

Passed March 20, 1861.

AN ORDINANCE

To define the number of men who shall compose a company in the two regular Regiments of Infantry.

Be it ordained by the people of Georgia in Convention assembled,

That the number of men who shall compose a company of infantry in the said regular regiments of infantry authorized to be raised by an ordinance of this Convention, shall be the same as is provided for the volunteer force authorized to be raised by the General Assembly of this State, by an act "to provide for the public defence, and for other purposes."

GEO. W. CRAWFORD,

President of the Convention.

Attest: A. R. LAMAR, *Secretary.*

Passed 23d March, 1861.

AN ORDINANCE

To authorize the Governor to pay the officers and men of the various Volunteer Companies which have been employed by him in the military defence of the State.

Be it Ordained by the People of Georgia, in Convention assembled,

That the Governor be, and is hereby authorized and required to pay the officers and men of the various Volunteer Companies which have been employed by him in the military service of the State such compensation according to their respective grades, as is allowed by law to the officers and privates in the regular army of the United States.

GEO. W. CRAWFORD,

President of the Convention.

Attest: A. R. LAMAR, Secretary.

Passed March 23rd, 1861.

AN ORDINANCE

To alter and fix the times of electing the Governor and members of the General Assembly.

Be it Ordained, by the People of Georgia, in Convention assembled, and it is hereby Ordained by the authority of the same,

That the next election of Governor and members of the General Assembly, shall be held on the first Wednesday in October, 1861, and that the Governor and members of the General Assembly shall be elected biennially thereafter, on the first Wednesday in October, until the same shall be altered by law.

GEO. W. CRAWFORD,
President of the Convention.

Attest: A. R. LAMAR, Secretary.

Passed March 23rd, 1861.

AN ORDINANCE

To define the extent and duration of the Ordinances passed by this Convention.

The People of Georgia, in Convention assembled, Ordain,

That all Ordinances passed by this Convention shall be subject to the modification or repeal by the General Assembly of this State, except the following:

1st, The Ordinance of Secession.

2nd, The Ordinance of Ratification of the Constitution of the Confederate States of America.

3rd. The Ordinances in relation to the Constitution of the State.

4th, All Ordinances or Resolutions referring to our relations with the Confederate States.

5th, All Ordinances which, by their own terms, can be changed only by a Convention of the People.

GEO. W. CRAWFORD,
President of the Convention.

Attest: A. R. LAMAR, Secretary.

Passed March 23rd, 1861.

AN ORDINANCE

To organize the Congressional Districts of this State, and for other purposes.

The People of Georgia, in Convention assembled, do hereby declare and Ordain,

That the Congressional Districts of this State shall be arranged by counties, as follows:

The first District shall be composed of the following counties: Appling, Bryan, Bulloch, Chatham, Camden, Charlton, Clinch, Coffee, Effingham, Emanuel, Glynn, Liberty, McIntosh, Montgomery, Pierce, Scriven, Telfair, Tattnall, Ware, and Wayne.

The second District shall be composed of the counties of Baker, Berrien, Brooks, Calhoun, Clay, Colquitt, Dooly, Decatur, Dougherty, Early, Echols, Irwin, Lee, Lowndes, Mitchell, Miller, Randolph, Terrell, Thomas, Wilcox, and Worth.

The third District shall shall be composed of the counties of Chattahoochee, Harris, Muscogee, Marion, Macon, Quitman, Stewart, Sumter, Schley, Taylor, Talbot, and Webster.

The fourth District shall be composed of the counties of Baldwin, Bibb, Crawford, Jones, Jasper, Houston, Laurens, Putnam, Pulaski, Twiggs, and Wilkinson.

The fifth District shall be composed of the counties of Burke, Columbia, Glasscock, Hancock, Jefferson, Johnson, Lincoln, Richmond, Warren, Wilkes, and Washington.

The sixth District shall be composed of the counties of Clarke, Elbert, Franklin, Greene, Hart, Madison, Morgan, Newton, Oglethorpe, Taliaferro, Walton, and Jackson.

The seventh District shall be composed of the counties of Butts, Clayton, Fayette, Henry, Merriwether, Monroe, Pike, Spalding, Troup, and Upson.

The eighth District shall be composed of the counties of Campbell, Carroll, Coweta, Cobb, DeKalb, Fulton, Haralson, Heard, Paulding, and Polk.

The ninth District shall be composed of the counties of Banks, Cherokee, Dawson, Forsyth, Gwinnett, Habersham, Hall, Lumpkin, Milton, Pickens, Rabun, Towns, Union, and White.

The tenth District shall be composed of the counties of Cass, Catoosa, Chattooga, Dade,, Fannin, Floyd, Gordon, Gilmer, Murray, Walker, and Whitfield.

Be it further Ordained, That the first election for members to Congress, shall be had under and by virtue of this Ordinance, and thereafter said Districts to be regulated by the Legislature whenever the Congress of the Confederate States shall alter the apportionment of Representation.

GEO. W. CRAWFORD,

President of the Convention.

Attest: A. R. LAMAR, Secretary.

Passed March 23rd, 1861.

AN ORDINANCE

To adopt and ratify the Constitution of the Confederate States of America.

Be it ordained by the people of Georgia in Convention assembled, and it is hereby ordained by the authority of the same,

That the Constitution adopted by the Congress at Montgomery, in the State of Alabama, on the eleventh day of March, in the year of our Lord one thousand eight hundred and sixty-one, for the "permanent federal government" of the Confederate States of America, be, and the same is hereby adopted and ratified by the State of Georgia, "acting in its sovereign and independent character."

GEO. W. CRAWFORD, *President.*

Attest: A. R. LAMAR, *Secretary.*

Passed 16th March, 1861.

RESOLUTIONS.

Resolved, That the Governor be requested to have published in such newspapers as he may think proper, all the Ordinances of this Convention as they pass, that immediate and general notice may be given of the same, unless otherwise directed by this Convention.

GEO. W. CRAWFORD, *President.*

Attest: A. R. LAMAR, *Secretary.*

Passed January 25, 1861.

Resolved, That the Governor be authorized to purchase or procure, for the defense of the seaboard of Georgia, three propeller, or other steamers, of light draft, to be armed and manned in such manner as their tonnage and capacity may require.

GEO. W. CRAWFORD, *President.*

Attest: A. R. LAMAR, *Secretary.*

Passed January 25th, 1861.

Resolved, That the Governor be requested to contract with the Cuba Telegraph company for the construction of telegraph lines from the main line to Darien and Brunswick, and such other place on the coast as may be expedient for the use of the State.

GEO. W. CRAWFORD, *President.*

Attest: A. R. LAMAR, *Secretary.*

Passed January 25th, 1861.

Whereas, The present attitude of the State of Georgia requires that she should be put immediately in a state of defence, and that military preparation demands prompt action and sound organization, both for efficiency and economy.

Be it Resolved, That the Governor be, and he is hereby empowered to employ such a military staff as may be necessary for effecting an organization, and introducing a sound system of administrative accountability.

Be it further Resolved, That these appointments shall be temporary, until such time as the Southern seceding States shall establish a government, and provide a military establishment for their common defence, and that the officers so appointed shall keep their offices at such points, and be stationed in such manner as the Governor and Commander-in-Chief may direct.

GEO. W. CRAWFORD, *President.*

Attest: A. R. LAMAR, *Secretary.*

Passed January 25, 1861.

Whereas, The Government of the Confederate States has authorized bonds to be issued running from five to ten years, and secured by an export duty of one-eighth of one per cent. per pound, upon cotton, for the purpose of meeting the pecuniary necessities of that Government.

And whereas, investment in such securities may be both convenient and safe, for Executors, Administrators, Guardians and other Trustees, and at the same time contribute to the sum needed by the Confederate States. Therefore

Resolved, That the Legislature of this State, be and it is hereby requested at its next session, to consider the propriety of passing a law authorizing Executors, Administrators, Guardians and other Trustees, to invest trust funds in their hands, in the bonds of the Confederate States, upon

the same terms that such trustees are now by law authorized to invest in the bonds of the State of Georgia.

GEO. W. CRAWFORD,

President of the Convention.

Attest: A. R. LAMAR, *Secretary.*

Passed 18th March, 1861.

The Committee on the Constitution and Laws, &c., recommend the adoption of the following resolutions:

Resolved, That in the publication of the Revised Code of the Laws of this State, adopted by the Legislature at its late session, the "United States" shall be stricken out and the "Confederate States" substituted, wherever the same may be necessary.

Resolved further, That the Constitution of the Confederate States shall be published as a part of the Code.

GEO. W. CRAWFORD, *President.*

Attest: A. R. LAMAR, *Secretary.*

Adopted March 18, 1861.

Resolved by the people of Georgia in Convention assembled,

That the Governor of this State is hereby authorized to tender to the Government of the Confederate States of America, under the provisions of an act of Congress "to raise provisional forces for the Confederate States of America, and for other purposes," the regular forces of this State provided for by an ordinance of this Convention.

Resolved further, That the President of the Confederate States be requested to receive into the service, under the act aforesaid, all the men now enlisted with the officers necessary to command them, by companies or battalions, and the remainder of the force as they may be received with their officers, until each of the two regiments now being raised is completed, when the whole force with their

officers shall form as regiments, a part of the said provisional army for the term of the enlistment of the war.

Resolved further, That the Governor be authorized to continue the recruiting service by the officers now required for the command of the troops proposed, until the regiments are completed, provided that a longer time than four months from this date be not allowed for this purpose, and provided further that the Governor be authorized to disband the said regiments, if not transferred to the government of the Confederate States.

GEO. W. CRAWFORD, *President.*

Attest: A. R. LAMAR, *Secretary.*

Adopted 23d March, 1861.

Resolved, That the delegates of this State, to the Convention at Montgomery, be authorized to consent to the continuation of the Provisional Government, until the 22d day of February, 1862, with a view to the inauguration of the Permanent Government on that day.

Resolved, That any vacancy which may occur in the said delegation by death, resignation or otherwise, may be filled by the appointment of the remaining delegates.

GEO. W. CRAWFORD,

President of the Convention.

Attest: A. R. LAMAR, *Secretary.*

Passed 23d March, 1861.

INDEX.

ADDRESS,
Setting forth the causes why Georgia dissolved her connection with the U. S., 104
Resolution relative to the distribution of the printed, 132
Of the President of the Convention, 302
Of Samuel Hall, Esq., Commissioner, &c., before Legislature of N. C. (in appendix,) 348

ADJOURNMENT,
Resolution that when Convention adjourns, it adjourn to meet in Savannah, 67, 89, 118, 120
Convention adjourned subject to the call of the President, 125
Resolution relative to, 206, 219
Adjournment *sine die*, 303

AFRICAN SLAVE TRADE,
Ordinance relative to, 53, 59, 89, 375

ARMS,
Resolutions relative to establishing an Armory, 89, 100
Resolutions relative to the unlawful seizure of, property of Georgia, 103
Governor to furnish side arms to officers of Military Companies, 151, 199
Ordinance to transfer certain arms, &c., to the Confederate States, 219, 223, 387
Ordinance to encourage the manufacture of cannon in this State, 233

ARMY AND NAVY,
Ordinance relative to the, of the U. S., 44, 48, 126 128, 379
Ordinance relative to two regular regiments of infantry, 275 390
Resolution relative to a Military organization for the defence of the State, 129
Resolution relative to turning over regular troops to Confederate States, 192, 276 396

ARMY AND NAVY—*Continued.*
Communication from Thomas M. Newell, Capt. U. S. Navy, 220
Resolution relative to officers of the Navy on the retired list, 222, 283
Communication from Governor relative to two regiments of regular troops, 226
Ordinance to transfer Forts, Arsenals, Navy Yards, &c., to the Confederate States, 387
Ordinance to transfer certain arms and munitions of war to the Confederate States, 387
APPENDIX.
Letter of Jas. L. Orr, Com'r from S. C. to Presdt. of the Convention of Ga., 305
Commission of Jas. L. Orr, as Commissioner from S. C., 306
Ordinance of Secession of S. C., 307
Letter of John Gill Shorter, Commissioner from Ala, to President Ga. Convention, 307
Commission of John Gill Shorter as Comm'r, 308
Resolution of instruction to said Commr., 309
Ordinance of Secession of Ala., 310
Letter from the Governor of Mississippi to the Gov. of Ga., 311
Resolution of the Convention of Mississippi, 312
Convention bill, " " 312
Resolutions of the State of Mississippi declaring secession to be the proper remedy of the Southern States, 314
Ordinance of secession of Mississippi, 317
Resolution providing for the appointment of Commissioners, 318
Ordinance of Secession of Louisiana, 319
Resolution relative to the free navigation of the Mississippi river, 320
Ordinance to provide for the appointment of delegates to a Convention to form a Southern Confederacy, 320
Report of D. C. Campbell, Esq., Commissioner from Ga. to Deleware, 322
Copy of communication addressed to the Gov. of Deleware by D. C. Campbell, Comm'r, &c., 324
Report of Gen. J. W. A. Sanford, Comm'r from Ga. to Texas, 326
Report of A. R. Wright, Esq., Comm'r from Ga. to Maryland, 328
Letter of A. R. Wright, Esq., to Gov. of Maryland, 332

APPENDIX.—*Continued.*
Report of Sam'l Hall, Esq., Comm'r from Ga. to N. C., 343
Address of Sam'l Hall, Esq., before Legislature of N. C., 348
Report of Dr. W. C. Daniell, Commissioner from Ga, to Kentucky, 365
Report of W. J. Vason, Esq., Comm'r from Ga. to Louisiana, 366
Report of H. P. Bell, Esq., Commissioner from Ga. to Tennessee. 368
Letter of Hon. Howell Cobb, President, &c., 371
Ordinances as passed by the Convention and signed by the President, 373
Resolutions passed by the Convention and signed by the President, 394
APPROPRIATIONS,
Ordinance to appropriate money for the Confederate States, 150, 199
Ordinance to authorize the Governor to raise and expend money for the defence of this State, 192
BANK SUSPENSIONS,
Ordinance to modify act of 1859, relative to, 210, 283
BILL OF RIGHTS, 96, 139, 195, 271
CITIZENSHIP,
Ordinance relative to, 51, 72, 88, 186, 196, 379.
" in addition to previous ordinance of the Convention relative to, 386.
CODE OF GEORGIA,
See "Revised Code of Laws," in index.
COMMERCIAL FACILITIES,
An Ordinance relative to, in Ga. 83, 91 to 96, 100, 383.
COMMISSIONERS,
From S. C. & Ala., addressed the Convention, 14
To Louisiana, 54
To Texas, 54, 326
Resolution relative to sending, to slave-holding States, 59, 63, 68, 77
Hon. T. W. White, Commissioner from Mississippi, 66
Reception of Hon. T. W. White, Commissioner from Mississippi, 90
For Virginia, 90
" Maryland, 90, 328
" Kentucky, 90, 118
" Tennessee, 90
" Missouri, 90
" Arkansas, 90

COMMISSIONERS—*Continued.*
For Delaware, 90, 322
" North Carolina, 90, 343
Resolutions relative to the pay of, sent to Slave-holding States, 118, 124
Communication from Dr. W. C. Daniell, Commissioner to Kentucky, 135, 365
Communication from Gen. J. W. A. Sanford, Commissioner to Texas, 140, 326
Communication from Hon. A. R. Wright, Commissioner to Maryland, 205, 328
Communication from H. P. Bell, Esq., Commissioner to Tennessee, 283, 368
Communication from L. J. Glenn, Esq., Commissioner to Missouri, 302
Documents accompanying Commissioner from S. C. (in appendix,) 305
Documents accompanying Commissioner from Alabama, (in appendix,) 307
Documents accompanying Commissioner from Mississippi, (in appendix,) 311
Documents accompanying Commissioner from Louisiana, (in appendix,) 319
Report of D. C. Campbell, Esq., Commissioner from Ga. to Delaware, (in appendix,) 322
Report of Gen. J. W. A. Sanford, Commissioner from Ga. to Texas, (in appendix,) 326
Report of A. R. Wright, Esq., Commissioner from Ga. to Maryland, (in appendix,) 328
Report of Samuel Hall, Esq., Commissioner from Ga. to North Carolina, (in appendix,) 343
Report of Dr. W. C. Daniell, Commissioner from Ga. to Kentucky, (in appendix,) 365
Report of W. J. Vason, Commissioner from Ga. to Louisiana, (in appendix,) 366
Report of H. P. Bell, Commissioner from Ga. to Tennessee, (in appendix,) 368.
COMMITTEES.
To wait on President, 7
" report rules for Convention, 8
Report of said committee, 10
To secure services of clergymen to open Convention with prayer, 8
To wait on Commissioners from S. C. and Ala., 8
Report of said committee, 9
Committee of Seventeen to report ordinance of Secession, 23
Report of said committee, 31

COMMITTEES—*Continued.*
To wait on Governor, 39
" prepare ordinance of Secession for signature of Delegates, 39
Report of said committee, 46, 74
On the Relations with the Slaveholding States of North America, 47, 88
On Foreign Relations, 48
" Commercial and Postal Arrangements, 48
" Military Affairs, 48
" the Constitution of the State and Constitution and Laws of the United States, 49
" Printing, 54
Report of said committee, 276
On Enrollment, 54
Report of said committee relative to Maj. Williams, 284
On Accounts, 54
To report Ordinance to reduce General Assembly, 55
Report of said committee, 79, 143
Mr. Cochran of Wilkinson added to the Committee on Foreign Relations, 62
To examine Great Seal of the State of Ga., 63
" wait on Hon. T. W. White, Comm'r from Miss., 76
Report of said committee, 76
On Elections, 75
Report of said committee on protest from Wayne Co., 78
Mr. Brown of Marion placed upon the Com. on Acc'ts, 99
To examine into the condition of the defences of Savannah, 129
Report of said committee, 230
Report of Committee on Military Affairs, relative to Maj. Myers, 141
On resolution of thanks to R. R. Cuyler, &c., 142
" " relative to School Books, 143
To apportion Senatorial Districts, 180
On Constitution of Confederate States, 183
On the Printing and Binding of Journal, 183
On Congressional Districts, 204, 218
Report of said committee, 273
Leave of absence granted to Committee on Constitution and Laws, 206
To revise and collate amendments to the Constitution of this State, 218
Report of said committee, 284
Resolution of thanks to the Committee on the "Constitution and Laws," &c., 284.

COMMUNICATIONS.

From South Carolina and Alabama, 9
" the Mayor of Atlanta, 9
" his Excellency Gov. Brown (enclosing resolutions, &c., from New York), 24
From Postmaster at Savannah, 51
" the State of Mississippi, 66, 311
" the Legislature of the State of Tennessee, 67
" Dr. T. S. Hopkins, of Wayne county, 75
" Hon. Thos. Y. Simons, of the S. C. Convention, 119
" Gov. of New York, 135
" Govs. of Maryland and Alabama, 135
" Dr. W. C. Daniell, Com'r to Kentucky, 135, 365
" certain members to the Congress, 140
" Gen. J. W. A. Sanford, Com'r to Texas, 140, 326
" Hon. Chas. C. Jones, Mayor of Savannah, 149
" Col. A. R. Lawton, 149
" his Excellency the Governor, 160
" Hon. Howell Cobb, President of the Congress, 161
Constitution of the Confederate States, 161
From Wm. J. Vason, Esq., Commissioner to Louisiana, 180, 366
From Samuel Hall, Esq., Commissioner to North Carolina, 180, 343
From A. R. Wright, Esq., Commissioner to Maryland, 180, 205
From Thos. M. Newell, Capt. U. S. Navy, 220
" Gov. Brown relative to two regiments of regular troops in Ga., 226
From H. P. Bell, Esq., Com'r to Tennessee, 283, 368
" L. J. Glenn, Esq., " Missouri, 302
Letter, &c., of Jas. L. Orr, Commissioner from South Carolina, (in appendix) 305
Letter, Commission, &c., of John Gill Shorter, Comm'r from Ala., (in appendix) 307
Letter from the Gov, of Mississippi, and other documents from that State, (in appendix) 311
Documents accompanying Com'r from Louisiana, (in appendix) 319
Report of D. C. Campbell, Com'r to Delaware, 322
" " Gen. J. W. A. Sanford, " Texas, 326
" " A. R. Wright, " Maryland, 328
" " Samuel Hall, " N. Carolina, 343
" " Dr. W. C. Daniell, " Kentucky, 365
" " W. J. Vason, " Louisiana, 366
" " H. P. Bell, " Tennessee, 368
Letter of Hon. Howell Cobb, President, &c., 371

CONFEDERATE STATES,
Ordinance to transfer Forts, Arsenals, &c., to 387
Ordinance to transfer certain arms and munitions of war to, 387
Ordinance to adopt and ratify the Constitution of the, 187 to 191, 393
Constitution of, to be published in "Revised Code of Laws." 396
Regular forces of Georgia tendered to, 396
Delegates from this State to consent to the continuation of the Provisional Government till 22nd February, 1862, 397
CONGRESS,
Resolution to elect delegates to, 55
Slave-holding States invited to send delegates to said, 56
Delegates to, elected, 64
Our late Senators and Representatives in U. S. invited to seats on floor, 74
Resolutions relative to delegates to the, 118, 124, 282, 397
CONGRESSIONAL DISTRICTS,
Res'n. to appoint a committee to arrange ten, 180, 198
An Ordinance to organize, 198, 392
Committee on, 204, 218
Report of said committee, 273
CONSTITUTION,
Committee on, 49
To amend the 5th sec. 4th art. of the, 56
" " " 1st " 3rd " " " 116, 138
" alter " 3rd and 7th secs. 1st art. of the, 132
" " 3rd, 4th, 7th, and 8th secs. 1st art., 132, 144
Resolutions relative to forming Government on the basis of the Constitution of the late U. S., 91
Substitue for the 3rd and 7th secs. 1st art. of, 136
Of Confederate States, 161, 182
Resolution referring Constitution of Confederate States to a committee of seven, 182
Resolution relative to the ratification of same, 191
Committee to revise Constitution of the State of Georgia, 187
Report of said committee, 234
Ordinance to adopt and ratify the Constitution of the Confederate States, 187 to 191, 393
Resolution relative to signing same, 199
An Ordinance to alter 3rd and 12th secs. 1st art. and 1st sec. 2nd art. 200
Of the State of Georgia, 234

CONSTITUTION—*Continued.*
Amendments to same, 249 to 272
Resolution to print 10,000 copies of the Constitution of the Confederate States, and the State of Georgia, 273
Committee to revise and collate amendments to the Constitution of this State, 281
The revised Constitution of the State of Ga., 285
To submit the Constitution to the people, 270, 301
Of Confederate States to be published in the "Revised Code of Georgia," 396

COURTS,
Ordinance relative to, 52, 77, 374
Ordinance to abolish the Circuit and District, of the U. S., 69, 84, 90, 114, 385
Resolution relative to parties engaged in the military service of the State who have cases in Court, 181, 191
Ordinance relative to Acts, Records, and Judicial proceedings, 41, 50

DEFENCE,
Ordinance to provide for the public, 127, 128, 376
Ordinance to organize a mounted Military Police, 64, 99
Governor to pay Volunteer Companies employed for the defence of the State, 281, 390
Resolution to purchase small armed steamers to ply along the coast, 50, 127, 128, 394
Resolution relative to a military organization for defence of the State. 129, 395
Resolution requesting information from the Gov. relative to defences of State, 136
Committee to examine into the defences of Savannah, 137, 225
Report of said committee, 230

DELEGATES,
Names of enrolled, 3 to 7
Mileage and per diem of, 61, 75, 154, 183, 196, 206, 207
Resolution relative to pay of, sent to Montgomery, 118, 124
Resolution that an election be held for a delegate from DeKalb, 124
Name of P. F. Hoyal, delegate from DeKalb, enrolled, 131
Resolution relative to compensation of delegate from Rabun, 214
Free passage on Ga. R. R., 223
Resolution relative to delegates to the Congress, 282, 397

DIRECT TRADE,
Resolution relative to, 139

DISTRICTS,
Resolution to appoint a committee to arrange ten Congressional, 180, 198
Committee to apportion Senatorial, 180
An Ordinance to organize Congressional, for this State, 198, 392
Committee on Congressional, 204, 218
Report of committee on Senatorial, 211
" " " " Congressional, 273
Ordinance to organize Senatorial, 388

ELECTIONS,
Ex. Gov. Geo. W. Crawford chosen President, 7
A. R. Lamar, Esq., elected Secretary, 8
Jesse Oslin, Messenger, 8
Wm. Atkinson, Door keeper, 8
Printers for the Convention, 14
W. J. Vason, Commissioner to Louisiana, 54
J. W. A. Sanford, Comm'r to Texas, 54
Delegates to Congress, 64
Committee on Elections, 75
Report of Committee on protest from Wayne Co. 78
Commissioners to several designated States, 90
Resolution that Governor order an election held for delegates in DeKalb, 124
Gov. to order election required by Constitution, 301
An Ordinance to alter and fix the time of electing Governor and members of the Gen'l Assem'y, 280, 391
Resolution approving the election of Hon. Jeff. Davis and Hon. A. H. Stephens, 134

FORTS, ARSENALS, &c.,
An Ordinance to resume jurisdiction over places heretofore ceded to the United States, 60, 76, 378
Resolution approving of the course of Gov. Brown, in taking possession of Fort Pulaski, 26
Resolution relative to the slaves employed at Fort Pulaski, 118
Resolution relative to visiting Fort Pulaski, 149
An Ordinance to transfer Forts, Arsenals, &c., to Confederate States. 149, 154, 220, 222, 387

FUNDIMENTAL PRINCIPLES,
An enunciation of 193

GENERAL ASSEMBLY,
Ordinance to alter and fix the times of electing members of, and Governor, 280, 381
See "Reduction of General Assembly," in index.

GOVERNOR,
Message from, enclosing resolutions from New York, 24
Message from, relative to two regiments of regular troops in Ga., 226
Ordinance relative to changing times of electing, and members of the General Assembly, 280, 391
Resolutions approving of the course of Gov. Brown in taking possession of Fort Pulaski, 26
INTER-STATE SLAVE TRADE,
Ordinance relative to, 59, 63, 89, 377
JOURNAL OF THE CONVENTION,
Report of Committee on, 278
MEMBERS OF CONVENTION,
Names of enrolled, 3 to 7
Mileage and per diem of, 61, 75, 154, 183, 196, 206, 207
Resolution that no member be allowed to speak longer than ten minutes, 249
MILEAGE AND PER DIEM,
Of members of the Convention, 61, 75, 154, 183, 196 206, 207
Resolution relative to per diem of members of the Legislature, 197
Resolution relative to delegate from Rabun, 214
Of the President, 279
MILITARY.
Resolution approving course of Gov. Brown in taking possession of Fort Pulaski, 26
Resolution relative to small armed steamers to ply along the coast, 50, 127, 128
Resolution relative to establishing an Armory, 89, 100
Committee on Military affairs, 48
Ordinance relative to officers of the Army and Navy of the late U. S. from Ga., 44, 48, 126, 378
Ordinance to organize mounted Military Police, 64, 99
" " provide for the public defence, 127, 128, 192, 376
Resolution relative to a military organization, 129
Relative to Maj. Myers, 141
Resolution to turn over regular troops to Confederate States, &c., 192, 396
Resolution relative to arming volunteer companies, 192
Committee to examine into the defences of Savannah, 137
Report of said Committee, 230
Gov. to furnish side arms to officers of Military Companies, 151
An Ordinance to transfer to Confederate States certain arms and munitions of war, 219, 387

MILITARY.—*Continued.*
An Ordinance relative to Forts, Arsenals, &c., 220, 387
Memorial from Thos. M. Newell, Capt. U. S. Navy, 220
Resolution relative to officers of the Navy on the retired list, 222
Communication from Gov. Brown relative to, 226 to 230
Ordinance to encourage the manufacture of cannon in this State, 233
Resolution relative to Volunteer Cos. of Savannah, 275
Ordinance relative to two regiments of infantry, 275, 390
Gov. to tender regular troops to Confederate States, &c., 192, 276
Thanks to Volunteer Companies who tendered their services to Governor, 279
Volunteer Companies to be paid for services, 281, 390
MILITIA,
An Ordinance concerning officers of the 118
MINING AND MANUFACTURING,
An Ordinance relative to, 117, 386
NATIONAL CAPITAL,
Resolutions relative to the, 132, 181, 213
OATHS,
An Ordinance relative to, hereafter required of Officers and Attorneys at Law, 71, 378
To become a citizen of Georgia, (Ordinance concerning Citizenship,) 381
Of Abjuration, 381

ORDINANCES.

Committee of 17 to report Ordinance of Secession, 23
Substitute for Mr. Nisbet's resolutions, 15 to 20
Ordinance of Secession, 31
" " " to be engrosssed upon Parchment, 39
Signing of same, 46
Relative to the African Slave Trade, 53, 59, 89
Relative to citizens of Ga. who hold office in the Army and Navy of the U. S. 44, 48, 126, 128
Relative to Citizenship, 51, 72, 88, 186, 196
" " Courts, 52, 77
To amend Constitution of Ga. 56, 57, 116, 132
Acts, Records and Judicial proceedings, 41, 59
To adopt the Laws of the late U. States, 57, 70, 88
Inter-State Slave Trade, 59, 63, 89
To resume jurisdiction over places heretofore ceeded to the U. S. 60, 76
To make Provisional Postal Arrangements in Ga. 62, 76
To organize Mounted Military Police, 64, 99

ORDINANCES.—*Continued.*
To abolish the Circuit and District Courts of the U. S. 59, 84, 90, 114
To define and declare what is Treason and Misprision of Treason in Georgia, 70, 88, 382
In relation to oaths hereafter required of public Officers and Attorneys at Law, 71
Relative to Commercial facilities in Ga. 83, 91 to 96, 100
To amend 1st sec. 3d art. of the Constitution, 116, 138
Relative to Mining and Manufacturing, 117
Concerning officers of the Militia, 118
To provide for the Public Defence, 127, 128
To alter the 3d and 7th sec's. 1st art. of the Constitution, 132, 136
To alter 3d, 4th, 7th, and 8th sec. 1st art. of the Constitution, 144
In relation to citizens of Ga. holding office under United States, 136, 196
To transfer the Forts, Arsenals, &c., to the Government of the Confederate States, 149, 154,
To appropriate money for the use of the Confederate States, 150, 199
To adopt and ratify Constitution of Confederate States, 187, 196
To authorize the Gov. to raise and expend money for this State, 192
To organize Congressional Districts for the State of Georgia, 198, 273
To alter the 3d and 12th sec's. 1st art., and 1st sec. 2d art. of the Constitution, 200
To modify act of 1859, relative to Bank Suspensions, 210, 283
Relative to Senatorial Districts, 211
To perfect the organization of the Senate of Ga. 214
To transfer certain arms &c. to Confederate States, 219, 223
Relative to Forts, Arsenals, &c., 220, 222
To encourage the manufacture of cannon in this State, 233
Relative to two regular regiments of Infantry, 275
To alter and fix time of electing Gov. and Members of the General Assembly, 280
Gov. to pay Volunteer Companies employed for defence of the State, 281
To define the extent of duration of the Ordinances passed by Convention, 282
Ordinances passed by the Convention and signed by the President, 373

ORGANIZATION.
Hon. H. L. Benning called to the Chair, 3
Arthur Hood, Esq., appointed Secretary, 3
Names of Delegates enrolled, 3 to 7
Prayer by Rev. Mr. Williamson, 7
Ex-Gov. Geo. W. Crawford chosen President, 7
Committee to wait on President, 7
A. R. Lamar elected Secretary, 8
Jesse Oslin appointed Messenger, 8
Wm. Adkins " Door Keeper, 8
Jno. H. Steele " Assistant Secretary, 13.
PATENT RIGHTS,
Resolutions relative to, for inventors, 76.
POSTAL ARRANGEMENTS,
Committee on, 48
Resolution relative to Mail Carriers, 46, 50
An Ordinance to make provisional Postal Arrangements, 62, 76, 377
Resolution relative to Post Masters, 40.
PRINTERS,
For the Convention elected, 14.
PRINTING,
Communications from S. Carolina and Ala., 9
Rules of the Convention, 13
Ordinance relative to African Slave Trade, 53
Ordinance to resume jurisdiction over places herefore ceded to the U. S., 60
Ordinance to make provisional Postal Arrangements in Ga., 62
Resolution relative to Direct Trade, 68
Certain ordinances ordered printed, 73
Report of Com. on reduction of General Assembly, 82, 134
Resolution to print 25,000 copies of Ordinance of Secession, 61, 83
Ordinance relative to commercial facilities in Ga., 83
Bill of Rights, 96
Report of Committee of Seventeen, 113
Constitution of the Confederate States, 155
Committee on the printing and binding of Journal, 183
Constitution of Georgia, 206
10,000 copies of the Constitution of the Confederate States and of the State of Ga., 273
Report of Committee on Printing, 276
Resolution relative to printing Journals, &c., 278
Resolution that the Treasurer pay the printing and other contingent expenses, 282

PROTEST
of Mr. Simmons, of Gwinnett, and others, 51
From Wayne Co., relative to seat of Mr. Cannon in Convention, 75, 78.
RECESS,
Convention to meet at the call of the President, 125
" met at Savannah, 131
REDUCTION OF GENERAL ASSEMBLY,
Committee appointed to report Ordinance relative to, 55
Report of said committee, 79
Ordinance relative to 79, 132
Minority report on, 81
Report of committee on, 143 to 148, 150
Resolutions relative to, 151, 160
Amendments to ordinance relative to, 150, 152, 156
Resolution to lay on the table all matter relative to House of Representatives, 160, 201
Ordinance to organize Senatorial Districts, 211, 388.
REPRISALS,
Resolutions relative to, 103
Report of committee on resolution relative to, 280
REPORTERS,
Resolutions relative to, 13, 27, 135
RESOLUTIONS.
Relative to Commissioners from S. C. and Ala., 8
To suppress applause, &c., 8
Relative to Reporters and other representatives of Southern press, 13, 27, 135
That the Secretary appoint an assistant Secretary, &c., 13
Gov. Brown and Ex-Gov. Cobb tendered seats on the floor, 13
Same privileges extended to Judges of Supreme Court, &c., 14
Relative to Printers to Convention, 14
Calling on Governor for information, 14, 26
Declaring the right and duty of Ga. to secede, 15
That a committee be appointed to report Ordinance of Secession, 15
Mr. Johnson's (of Jefferson,) substitute, 16 to 20
Approving course of Gov. Brown in taking possession of Fort Pulaski, 26
To appoint standing committees, 26
That the Ordinance of Secession be engrossed on parchment, &c., 39
Relative to Collectors of Customers & Postmasters, 40
Relative to Reconstruction, 40, 50
Relative to Ga's. part of the public property, &c., 43, 62

RESOLUTIONS.—*Continued.*
President of Senate, and Speaker of House invited to seats on the floor, 44
Relative to signing Ordinance of Secession, 45
Relative to reduction of Gen. Assembly, 45, 50, 151, 160
Relative to Commissioners to Louisiana and Texas, 46
Slaveholding States to appoint Commissioners to Congress at Montgomery, 46, 50, 56
Relative to submitting Ordinance of Secession to the people, 46
Relative to Mail Carriers, 46, 50
Certified copy of Ordinance of Secession to be sent to Governor of each State, &c., 47
Relative to small armed steamers to ply along the coast, 50, 127, 128
Relative to a Council of Safety, 52, 78
To appoint committees on Printing, Enrolling, and Accounts, 54
To elect delegates to Congress, 55
Relative to sending Commissioners to slaveholding States, 59, 63, 68, 77
To print 25,000 copies of Ordinance of Secession, 61, 82
Relative to mileage and per diem of delegates, 61, 75, 154 183, 207
To appoint committee to examine Great Seal of State of Georgia, 63
That the papers accompanying the Commr's. from Miss. Ala. & S. C. be printed in appendix to Journal of Convention, 67
Relative to Commr's. from Mississippi, 67
That no State which does not tolerate slavery ought to be admitted into the new Confederacy, 68
Relative to Direct Trade, 68, 139
Relative to photograph of Ordinance of Secession, 74
Our late Senators and Representatives invited to seats on the floor, 74
Relative to Maj. H. J. G. Williams, 74
Ordinances to be published in newspapers, 75
Relative to Patent Rights for inventors, 76
" " establishing an Armory, 80, 100
" " a provisional and permanent Govmn't, 91
" " the unlawful seizure of arms, &c., property of Georgia, 103
Relative to Pension Agent of the U. S., 114
" " the slaves employed at Fort Pulaski, 118
" " the pay of delegates to Montgomery and Commissioners, 118, 124
To encourage and advance home institutions, 118

RESOLUTIONS—*Continued.*
Relative to the death of Hon. Chas. Murphy, 119, 124
Tendering thanks to clergymen, 120, 274
Relative to sittings of Convention at Savannah, 124
" " an election to fill vacancy from DeKalb, 124
" " pay of Messenger and Door Keeper, 124
" " Cuba Telegraph Co., 128
" " military for defence of the State, 129
" President and delegates taking oath to support Constitution of Confederate States, 131
That P. F. Hoyal be enrolled as a delegate from DeKalb, 131
Relative to the distribution of the printed Address of the committee of 17, 132
Relative to the National Capital, 132, 181, 213
Approving of the election of Hon. Jeff. Davis. and Hon. A. H. Stephens, 134
Delegate elect from DeKalb may sign Ordinance of Secession, 135
Relative to school books, 136, 142
Requesting information from Gov. relative to defences of the State, 136
Committee to examine into the defences of Savannah, 137, 225, 230
Relative to appointing a page, 138
" " Gen. David E. Twiggs, 140
" " Col. Hardee, 140
Thanks to R. R. Cuyler, Pres., &c., 141
Relative to Pensioners in this State, 143
" " visiting Fort Pulaski, 149
Gov. to furnish side arms to officers of Military Companies, 151, 199
Thanks to President and Directors of certain Railroads, 154
Relative to printing Constitution of Confederate States, 155
Relative to Constitution of Confederate States, 180
That a Committee be appointed to arrange ten Congressional Districts, 180, 198
Relative to parties engaged in the military service of the State who have cases in Court, 181, 191
Referring Constitution of Confederate States to a committee, 182
Report of said committee, 187
That a committee be appointed on Printing, 183
Committee to revise Constitution of Ga., 187
Relative to removing secrecy from proceedings of Convention, 191

RESOLUTIONS—*Continued.*
Ratification of Constitution of Confed. States, 191
Turning over troops to Confederate States, &c., 192, 276
Delegates who were absent may record vote on Ordinance ratifying Constitution, 196
Relative to economy in public expenditures, 197, 207, 210
Appointing committee to report Ordinance to reduce salary of civil officers, 197
Investing trust funds in bonds of Conf. States, 198
Revised Code of Laws of this State, 199
Signing Ordinance ratifying Constitution of Confederate States, 199
Bank suspension—duties on imposts, &c., 205, 282
Adjournment, 27, 89, 118, 120, 206, 219
Compensation of delegate from Rabun, 214
Rev. Chas. W. Thomas, 217
Officers of the Navy on the retired list, 222, 283
To submit the Constitution of Ga. to the people, 170
To print 10,000 copies Constitution of Confederate States and State of Ga., 273
Thanks to Ga. R. R. Co., 275
Thanks to Volunteer Companies, 275, 279,
Relative to Journals, Secretary, &c., 278
" " pay of Assistant Door Keeper, 279
" " duties of Treasurer, 280, 282
" " the Delegates to Congress and the Provisional Government, 282
Thanks to Hon. Geo. W. Crawford, Pres't Conv., 283
That secresy be removed from the proceedings 284
Thanks to Com. on "Constitution and Laws," &c., 284
Gov. to issue a proclamation for election required by the Constituttion, 301
Resolutions passed by the Convention and signed by the President, 394.
REVISED CODE OF LAWS,
Resolutions relative to, 199, 396.
RIGHTS—Bill of, 96, 139, 195, 271
An enunciation of fundamental principles, 193
RULES Of the Convention, 8, 10, 13
SCHOOL BOOKS,
Resolution relative to, 136, 142, 143.
SECESSION,
Resolutions declaring the right and duty of Georgia to secede, 15
Ordinance of, 23, 31, 373
" " to be engrossed upon parchment, 39
Signing of Ordinance of, 46
Resolution to submit ordinance of, to the people, 46

SECESSION—*Continued.*
Certified copy of Ordinance of, to be sent to Gov. of each State, &c., 47
Resolution relative to photograph of ordinance of, 74
Report of Committee of Seventeen, 104
For Ordinances of, of S. C., Ala., Miss., and La., see appx.
SECRETARY—Relative to, 8, 13, 277.
SENATORIAL DISTRICTS.—See "Districts," in index.
SLAVE TRADE,
Ordinance relative to the African, 53, 59, 89, 375
" " " Inter-State, 59, 63, 89, 377.
STANDING COMMITTEES appointed, 47.
THANKS.—See "Resolutions," in index.
TREASON,
An Ordinance to define and declare what is Treason and Misprision of Treason in Georgia, 70, 88, 382
TREASURER—STATE,
Resolution relative to duties of, 280, 282.
TRUST FUNDS,
Resolution relative to investing in bonds of Confederate States, 198, 396.
VOLUNTEER COMPANIES,
Gov. to furnish side arms to officers of, 151, 199
Thanks to, of Savannah, 275
" " who tendered their services to Gov. 279
Gov. to pay, employed for defence of State, 281, 390
Resolution relative to arming, 192
YEAS AND NAYS,
On Mr. Nisbet's resolution declaring it the right and duty of Ga. to secede, 20
On resolution calling upon the Gov. for information, 27
On preamble &c., offered by Mr. Johnson of Jefferson, 32
On Ordinance of Secession, 35
On Ordinance to abolish the Circuit and District Courts of the late U. S. 85
On motion to reconsider Ordinance relative to Commercial facilities in Ga. 100
On motion that Convention reassemble at Savannah, 121
On the Report of the Committee on Reduction, 146
On subsititute for Ordinance on Reduction of General Assembly, 156
On mileage and per diem of Members, 184
On Ordinaece to adopt and ratify Constitution of Confederate States, 188
On motion to reconsider matter relative to reduc'n. 201
On resolution relative to public expenditures, &c., 207
On Ordinance to perfect organization of Senate of Ga. 215
On motions to amend the Constitution, 251, 257, 262, 265

Georgia. Convention. 1861.

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